LETTERS OF DELEGATES TO CONGRESS

1774 ☆ 1789

12

February 1-May 31, 1779

Paul H. Smith, Editor
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Editorial Method and Apparatus

In its treatment of documents this edition of delegate letters strives to achieve a middle ground between facsimile reproduction and thorough modernization. The original spelling and grammar are allowed to stand except where editorial changes or insertions are required to make the text intelligible. For example, when a badly misspelled word is misleading, the correct spelling is inserted in roman type in brackets after the word. Moreover, words omitted through oversight have been supplied at appropriate places in italic type in brackets. Obvious slips of the pen and inadvertent repetitions are usually silently corrected. Capitalization and punctuation have been standardized according to certain conventions. Each sentence begins with a capital letter, as do all proper and geographic names as well as days of the week and months of the year. Doubtful cases have been resolved in favor of modern usage; otherwise the usage of the original texts has been followed. Generally, abbreviations, contractions, and monetary signs are preserved as they appear in manuscript except when they are ambiguous or misleading. On the other hand, the thorn and the tilde are consistently expanded. "Ye" always appears as "The," for instance, and "re͠cvd" as "received." Likewise, "pr." and tailed *p*'s are always expanded to "per," "pre," or "pro," as the case demands. Finally, superscript letters are always lowered to the line.

Gaps in the text are indicated by ellipses in brackets for missing words and by blank spaces in brackets for missing numbers. Conjectural readings are supplied in roman type in brackets, and editorial insertions in italic type in brackets. Material canceled in manuscript but restored to the printed text is included in italic type in angle brackets ("square parentheses"). Marginalia in letters are treated as postscripts if not obviously keyed to the body of the document, and postscripts which appear without explicit designation are supplied with a *P.S.* in brackets. Documents are arranged chronologically, with more than one document of the same date arranged alphabetically according to writer. Documents dated only by the month or by the year are placed at the end of the respective month or year. Place-and-date lines always appear on the same line with the salutation regardless of their position in the manuscript.

A descriptive note at the foot of each entry provides abbreviations indicating the nature and location of the document when it was copied for this project, except for privately owned manuscripts whose ownership is explained. The descriptive note also contains information on the document's authorship if explanation is necessary, and endorsements or addresses are quoted when they contain more than routine information. Other editorial practices employed in this work are explained in the sections on editorial apparatus which follow.

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TEXTUAL DEVICES

The following devices will be used in this work to clarify the text.

[. . .], [. . . .]	One or two words missing and not conjecturable.
[. . .][1], [. . . .][1]	More than two words missing; subjoined footnote estimates amount of material missing.
[ ]	Number or part of a number missing or illegible.
[ ][1]	Blank space in manuscript; explanation in subjoined footnote.
[roman]	Conjectural reading for missing or illegible matter; question mark inserted if reading is doubtful.
[*italic*]	Editorial insertion in the text.
⟨*italic*⟩	Matter crossed out in manuscript but restored.

DESCRIPTIVE SYMBOLS

The following symbols are used in this work to describe the kinds of documents drawn upon. When more than one symbol is used in the descriptive note, the first to appear is that from which the main text is taken.

RC	recipient's copy
FC	file copy
LB	letterbook copy
MS	manuscript
Tr	transcript (used to designate not only contemporary and later handwritten copies of manuscripts, but also printed documents)

LOCATION SYMBOLS

The following symbols, denoting institutions holding the manuscripts printed in the present volume, are taken from *Symbols of American Libraries*, 11th ed. (Washington: Library of Congress, 1976). Each volume of this edition will contain a revised list.

Ct	Connecticut State Library, Hartford
CtHWa	Wadsworth Atheneum, Hartford
CtHi	Connecticut Historical Society, Hartford
CtY	Yale University, New Haven
DLC	Library of Congress
DLC(ESR)	Library of Congress, Early State Records Collection
DNA	National Archives and Records Service
DNDAR	Daughters of the American Revolution, Washington, D.C.
ICHi	Chicago Historical Society
IaDaM	Davenport Public Museum, Davenport, Ia.
M-Ar	Massachusetts Archives, Boston

MB	Boston Public Library
MDaAr	Danvers Historical Society, Danvers, Mass.
MH-H	Harvard University, Houghton Library
MHi	Massachusetts Historical Society, Boston
MdAA	Maryland Hall of Records, Annapolis
MdHi	Maryland Historical Society, Baltimore
MeHi	Maine Historical Society, Portland
MiDbEI	Edison Institute, Henry Ford Museum & Greenfield Village Library, Dearborn, Michigan
MiU-C	William L. Clements Library, Ann Arbor, Mich.
MnHi	Minnesota Historical Society, St. Paul
N	New York State Library, Albany
NHi	New-York Historical Society, New York
NN	New York Public Library, New York
NNC	Columbia University, New York
NNPM	Pierpont Morgan Library, New York
Nc-Ar	North Carolina State Department of Archives and History, Raleigh
NcU	University of North Carolina, Chapel Hill
Nh-Ar	New Hampshire Division of Archives and Records Management, Concord
NhD	Dartmouth College, Hanover, N.H.
NhHi	New Hampshire Historical Society, Concord
Nj	New Jersey State Library, Trenton
NjHi	New Jersey Historical Society, Newark
NjMoHP	Morristown National Historical Park, Morristown, N.J.
NjP	Princeton University, Princeton, N.J.
OClWHi	Western Reserve Historical Society, Cleveland, Ohio
OMC	Marietta College, Marietta, Ohio
PCarlD	Dickinson College, Carlisle, Pa.
PHC	Haverford College, Haverford, Pa.
PHi	Historical Society of Pennsylvania, Philadelphia
PPAmP	American Philosophical Society, Philadelphia
PPIn	Independence National Historical Park, Philadelphia
PU	University of Pennsylvania, Philadelphia
R-Ar	Rhode Island State Archives, Providence
RNHi	Newport Historical Society, Newport, R.I.
ScHi	South Carolina Historical Society, Charleston
Vi	Virginia State Library, Richmond
ViHi	Virginia Historical Society, Richmond
ViU	University of Virginia, Charlottesville

ABBREVIATIONS AND SHORT TITLES

Adams, *Family Correspondence* (Butterfield)
Butterfield, Lyman H., et al., eds. *Adams Family Correspondence.* Cambridge: Harvard University Press, Belknap Press, 1963–.

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Adams, *Writings* (Cushing)
Adams, Samuel. *The Writings of Samuel Adams.* Edited by Harry A. Cushing. 4 vols. Boston: G.P. Putnam's Sons, 1904–8.

Bartlett, *Papers* (Mevers)
Bartlett, Josiah. *The Papers of Josiah Bartlett.* Edited by Frank C. Mevers. Hanover, N.H.: Published for the New Hampshire Historical Society by the University Press of New England, 1979.

Burnett, *Letters*
Burnett, Edmund C., ed. *Letters of Members of the Continental Congress.* 8 vols. Washington: Carnegie Institution of Washington, 1921–36.

Clinton, *Papers* (Hastings)
Clinton, George. *Public Papers of George Clinton, First Governor of New York, 1777–1795, 1801–1804.* Edited by Hugh Hastings and J. A. Holden. 10 vols. New York and Albany: Wynkoop Hallenbeck Crawford Co. et al., 1899–1914.

DAB
Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone.

Deane Papers (NYHS Colls.)
Deane, Silas. *The Deane Papers.* 5 vols. New-York Historical Society Collections, vols. 19–23. New York: New-York Historical Society, 1886–90.

Evans, *Am. Bibliography*
Evans, Charles. *American Bibliography.* 12 vols. Chicago: Privately printed, 1903–34.

Henry, *Patrick Henry*
Henry, William Wirt. *Patrick Henry: Life, Correspondence, and Speeches.* 3 vols. New York: Charles Scribner's Sons, 1891.

Jay, *Papers* (Morris)
Jay, John. *John Jay; The Making of a Revolutionary: Unpublished Papers, 1745–1780.* Edited by Richard B. Morris et al. New York: Harper & Row, 1975.

Jefferson, *Papers* (Boyd)
Jefferson, Thomas. *The Papers of Thomas Jefferson.* Edited by Julian P. Boyd et al. Princeton: Princeton University Press, 1950–.

JCC
U.S. Continental Congress. *Journals of the Continental Congress, 1774–1789.* 34 vols. Edited by Worthington C. Ford et al. Washington: Library of Congress, 1904–37.

Lafayette, *Papers* (Idzerda)
Idzerda, Stanley J. et al., eds. *Lafayette in the Age of the American Revolution: Selected Letters and Papers, 1776–1790.* Ithaca: Cornell University Press, 1977–.

Lee, *Letters* (Ballagh)
Lee, Richard Henry. *The Letters of Richard Henry Lee.* Edited by James C. Ballagh. 2 vols. New York: Macmillan Co., 1911–14.

Mason, *Papers* (Rutland)

Mason, George. *The Papers of George Mason, 1725-1792.* Edited by Robert A. Rutland. 3 vols. Chapel Hill: University of North Carolina Press, 1970.

Md. Archives

Archives of Maryland. Edited by William H. Browne et al. Baltimore: Maryland Historical Society, 1883-.

Meng, *Gérard Despatches*

Gérard, Conrad Alexandre. *Despatches and Instructions of Conrad Alexandre Gérard.* Edited by John J. Meng. Baltimore: Johns Hopkins Press, 1939.

N.C. State Records

North Carolina. *The State Records of North Carolina.* Edited by Walter Clark. Vols. 11-26. Winston and Goldsboro, N.C.: N.I. and J.C. Stewart et al., 1895-1914.

N.H. State Papers

New Hampshire. *Provincial and State Papers.* 40 vols. Concord, 1867-1943.

N.J. Archives

New Jersey Historical Society. *Documents Relating to the Colonial, Revolutionary, and Post-Revolutionary History of the State of New Jersey.* Archives of the State of New Jersey. 1st series. 42 vols. Newark and Paterson, N.J., 1880-1949.

Pa. Archives

Pennsylvania Archives. 9 series, 119 vols. in 120. Philadelphia: J. Severns & Co., 1852-56; Harrisburg: State printer, 1874-1935.

Pa. Council Minutes

Pennsylvania. *Minutes of the Supreme Executive Council of Pennsylvania, from its Organization to the Revolution.* 6 vols. [*Colonial Records of Pennsylvania,* vols. 11-16]. Harrisburg: Theo. Fenn & Co., 1852-53.

Paullin, *Marine Committee Letters*

Paullin, Charles O., ed. *Out-Letters of Continental Marine Committee and Board of Admiralty, 1776-1780.* 2 vols. New York: Printed for the Naval History Society by the De Vinne Press, 1914.

PCC

Papers of the Continental Congress. National Archives and Records Service. Washington, D.C.

Rodney, *Letters* (Ryden)

Rodney, Caesar. *Letters to and from Caesar Rodney, 1756-1784.* Edited by George H. Ryden. Philadelphia: University of Pennsylvania Press, 1933.

Sullivan, *Letters* (Hammond)

Sullivan, John. *Letters and Papers of Major-General John Sullivan.* Edited by Otis G. Hammond. 3 vols. Collections of the New Hampshire Historical Society, vols. 13-15. Concord: New Hampshire Historical Society, 1930-39.

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Warren-Adams Letters
Warren-Adams Letters, Being Chiefly a Correspondence among John Adams, Samuel Adams, and James Warren. 2 vols. Massachusetts Historical Society Collections, vols. 72–73. Boston: Massachusetts Historical Society, 1917–25.

Washington, *Writings* (Fitzpatrick)
Washington, George. *The Writings of George Washington.* Edited by John C. Fitzpatrick. 39 vols. Washington: U.S. Government Printing Office, 1931–44.

Wharton, *Diplomatic Correspondence*
Wharton, Francis, ed. *The Revolutionary Diplomatic Correspondence of the United States.* 6 vols. Washington: U.S. Government Printing Office, 1889.

Acknowledgments

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The photocopies of the more than twenty-one thousand documents that have been collected for this project have been assembled through the cooperation of several hundred institutions and private individuals devoted to preserving the documentary record upon which the history and traditions of the American people rest, and it is to their work that a documentary publication of this nature should ultimately be dedicated. Unfortunately, the many individual contributors to this collecting effort cannot be adequately recognized, but for permission to print documents appearing in the present volume we are especially grateful to the following institutions: the American Philosophical Society, Archives du ministère des affaires étrangères (Paris), Archivo General de Indias (Seville), Boston Public Library, Chicago Historical Society, William L. Clements Library, Columbia University, Connecticut Historical Society, Connecticut State Library, Danvers Historical Society, Dartmouth College, Daughters of the American Revolution, Davenport Museum, Dickinson College, Greenfield Village and Henry Ford Museum, Harvard University, Haverford College, Independence National Historical Park, Kungliga Biblioteket (Stockholm), Maine Historical Society, Marietta College, Maryland Hall of Records, Maryland Historical Society, Massachusetts Archives Division, Massachusetts Historical Society, Minnesota Historical Society, Pierpont Morgan Library, Morristown National Historical Park, National Archives, New Hampshire Division of Archives and Records Management, New Hampshire Historical Society, New Jersey Historical Society, New Jersey State Library, Newport Historical Society, New-York Historical Society, New York Public Library, New York State Library, North Carolina State Department of Archives and History,

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University of North Carolina, Historical Society of Pennsylvania, University of Pennsylvania, Princeton University, Rhode Island State Archives, South Carolina Historical Society, Virginia Historical Society, Virginia State Library, University of Virginia, Wadsworth Atheneum, Western Reserve Historical Society, and Yale University. And, in addition, we express our thanks and appreciation to the following persons: Mr. John F. Reed, Mr. Paul C. Richards, Capt. J. G. M. Stone, and Mr. Harry Kels Swan.

This work has benefitted not only from Edmund C. Burnett's pathfinding eight-volume edition of *Letters of Members of the Continental Congress* but also from the generous cooperation of the editors of several other documentary publications with a common focus on the revolutionary era. From them the Library has borrowed heavily and to them it owes a debt it can never adequately acknowledge. It is a pleasure to give special thanks to the editors of the papers of John Adams, Benjamin Franklin, Thomas Jefferson, Henry Laurens, James Madison, and George Washington. Finally, we owe thanks to the historians who served on the Advisory Committee on the Library's American Revolution Bicentennial Program, and especially to Mr. Julian P. Boyd, Mr. Lyman H. Butterfield, and Mr. Merrill Jensen, who generously acted as an advisory committee for the *Letters* project.

Paul H. Smith
Historical Publications Office
Manuscript Division

Chronology of Congress

February 1–May 31, 1779

February 1	Debates Pennsylvania complaint against Matthew Clarkson.
February 2	Orders reinforcements for South Carolina and Georgia.
February 3	Confers with Gérard on supplying French fleet; resolves to emit additional $5 million in Continental currency; resolves to borrow $20 million in loan office certificates.
February 5	Resolves to request French aid for South Carolina defense.
February 8	Recommends embargo exemptions for relief of Rhode Island and Massachusetts; withdraws request for French aid for South Carolina; discourages French request for provisions for Martinique.
February 9	Recommends relief for owners of Portuguese vessel illegally seized by American privateer; augments treasury staff to speed settlement of army accounts.
February 11	Exonerates Robert Morris of accusations made by Henry Laurens.
February 15	Meets with Gérard on Spanish offer to mediate peace and need to formulate American negotiating demands.
February 16	Orders inquiry into Pennsylvania's charges against Benedict Arnold.
February 18	Reorganizes Inspector General's Department and Ordnance Department.
February 19	Resolves to emit additional $5 million in Continental currency.
February 22	Receives William Lee's proposal for a commercial treaty with the United Provinces; Delaware ratifies Articles of Confederation.

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February 23	Debates negotiating instructions should Spain arrange peace talks with Great Britain.
February 25	Accepts resignation of Maj. Gen. Thomas Mifflin; augments defense of the northern frontiers.
February 26	Authorizes embargo exemptions for the relief of Rhode Island and Massachusetts.
March 1	Debates peace terms (boundaries).
March 4	Debates peace terms (boundaries).
March 5	Authorizes Washington to negotiate a cartel for a general exchange of prisoners.
March 6	Adopts declaration on Continental authority over admiralty appeals.
March 9	Urges states to accelerate recruitment and revises bounty provisions.
March 10	Debates peace terms (boundaries).
March 11	Debates peace terms (status of Nova Scotia); creates corps of engineers.
March 15	Debates peace terms (boundaries).
March 16	Debates peace terms (boundaries); authorizes reorganization of the corps of waggoners.
March 17	Debates peace terms (boundaries).
March 19	Adopts peace terms concerning boundaries.
March 20	Adopts Fast Day proclamation.
March 22	Debates peace terms (fisheries).
March 23	Reorganizes Clothing Department.
March 24	Reprimands Matthew Clarkson for affronts to the civil authorities of Pennsylvania; debates peace terms (fisheries and navigation of the Mississippi).
March 27	Resolves to report the yeas and nays in the published journals.

March 29	Adopts measures for the defense of South Carolina and Georgia.
March 30	Debates peace terms (fisheries).
March 31	Resolves to publish journals of Congress weekly.
April 1	Endorses New York plan for reprisals against the Seneca Indians; resolves to emit additional $5 million in Continental currency.
April 2	Adjourns for Good Friday.
April 3	Adopts resolutions for restoring harmony with Pennsylvania officials incensed over congressional response to their prosecution of Benedict Arnold.
April 6	Opens debate on the recall of American commissioners abroad.
April 7	Adopts plan to encourage rebellion in Nova Scotia; debates recall of American commissioners abroad.
April 8	Authorizes prisoner exchange in the southern department.
April 9	Debates recall of American commissioners abroad.
April 13	Endorses plan for creation of a corps of French volunteers in South Carolina.
April 14	Reaffirms authority of state officials to issue safe conduct passes.
April 15	Debates recall of American commissioners abroad.
April 19	Accepts resignation of Maj. Gen. Philip Schuyler; authorizes additional brigade for Rhode Island defense.
April 20	Debates recall of American commissioners abroad.
April 21	Debates recall of American commissioners abroad.
April 22	Rejects motion to recall Benjamin Franklin.
April 26	Debates recall of American commissioners abroad.
April 27	Appropriates 2,000 guineas in specie for Washington's secret service.

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April 30	Debates recall of Arthur Lee.
May 1	Debates recall of Arthur Lee.
May 3	Rejects motion to recall Arthur Lee (tie vote).
May 4	Appoints committee to meet with Delaware Indian delegation.
May 5	Resolves to emit additional $10 million in Continental currency.
May 6	Observes day of fast.
May 7	Denies Bermuda petition for provisions embargo exemption; orders Virginia and North Carolina reinforcements to South Carolina.
May 8	Debates peace terms (fisheries).
May 10	Authorizes Washington to concert combined Franco-American operations.
May 11	Appoints General Duportail commandant of the corps of engineers.
May 12	Debates peace terms (fisheries).
May 13	Debates peace terms (fisheries).
May 14	Meriwether Smith charges Henry Laurens with injuring the honor of Congress.
May 15	Henry Laurens denounces attack by Meriwether Smith.
May 17	Directs Indian affairs commissioners (northern department) to consult with Washington on all Indian treaty negotiations.
May 18	Authorizes embargo exemption for provisions for Bermuda.
May 19	Increases states' 1779 quotas an additional $45 million.
May 20	Receives Virginia proposal for ratifying Articles of Confederation by less than unanimous consent; debates recall of Ralph Izard.

May 21	Receives Maryland delegate instructions on Articles of Confederation; receives Connecticut delegate instructions on ratifying confederation without the state of Maryland.
May 24	Debates Deane-Lee controversy; authorizes retaliation for cruelties committed by British forces against French subjects in Virgina.
May 25-26	Confers (by committee) with Delaware Indian delegation.
May 26	Allows Pennsylvania President Reed to address Congress on American fiscal crisis; adopts address to the inhabitants of America on meeting finance and manpower quotas.
May 27	Debates peace terms (fisheries).
May 29	Debates New York proposals for settlement of Vermont issue.

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List of Delegates to Congress

This section lists both the dates on which delegates were elected to terms falling within the period covered by this volume and the inclusive dates of their attendance. The former are generally ascertainable from contemporary state records, but the latter are often elusive bits of information derived from the journals of Congress or extrapolated from references contained in the delegates' correspondence, and in such cases the "facts" are inevitably conjectural. It is not possible to determine interruptions in the attendance of many delegates, and no attempt has been made to record interruptions in service caused by illness or brief trips home, especially of delegates from New Jersey, Delaware, Maryland, and Pennsylvania living within easy access of Congress. For occasional references to such periods of intermittent service as survive in the correspondence and notes of various delegates, see the index under individual delegates. Until fuller information is provided in a consolidated summary of delegate attendance in the final volume of this series, the reader is advised to consult Burnett, *Letters*, 4:xlix-lxvi, for additional information on conjectural dates of attendance. Brief biographical sketches of all the delegates are available in the *Biographical Directory of the American Congress, 1774-1971*, and fuller sketches of more than half of the delegates can be found in the *Dictionary of American Biography*.

CONNECTICUT

Eliphalet Dyer
  Elected: October 21, 1778
  Attended: February 1 to April 6? 1779
Oliver Ellsworth
  Elected: October 21, 1778
  Attended: February 1-19, 1779
Titus Hosmer
  Elected: October 21, 1778
  Did not attend in 1779
Samuel Huntington
  Elected: October 21, 1778
  Attended: May 21-31, 1779
Jesse Root
  Elected: October 21, 1778
  Attended: February 1 to April 6? 1779
Roger Sherman
  Elected: October 21, 1778
  Attended: April 27 to May 31, 1779

Joseph Spencer
Elected: January 7, 1779
Attended: March 27 to May 31, 1779

DELAWARE

John Dickinson
Elected: January 18, 1779
Attended: April 23 to May 31, 1779

Thomas McKean
Elected: January 18, 1779
Attended: February 1-24, April 22, 1779

Nicholas Van Dyke
Elected: January 18, 1779
Attended: March 23 to April 17, May 1-8, 1779

GEORGIA

Joseph Clay
Elected: February 26, 1778
Did not attend Congress

Lyman Hall
Elected: February 26, 1778
Did not attend in 1779

Edward Langworthy
Elected: February 26, 1778
Attended: February 1 to April 12? 1779

Edward Telfair
Elected: February 26, 1778
Did not attend in 1779

George Walton
Elected: February 26, 1778
Did not attend in 1779

John Walton
Elected: February 26, 1778
Did not attend in 1779

Joseph Wood
Elected: February 26, 1778
Did not attend in 1779

MARYLAND

William Carmichael
Elected: November 13, 1778
Attended: February 1 to May 31, 1779

James Forbes
Elected: November 13, 1778
Did not attend February to May 1779

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John Henry
Elected: November 13, 1778
Attended: February 1 to May 31, 1779

Daniel of St. Thomas Jenifer
Elected: November 13, 1778
Attended: April 27 to May 31, 1779

William Paca
Elected: November 13, 1778
Attended: February 1 to May 15, 1779

George Plater
Elected: November 13, 1778
Attended: February 10 to May 31, 1779

MASSACHUSETTS

Samuel Adams
Elected: October 8, 1778
Attended: February 1 to May 31, 1779

Francis Dana
Elected: October 8, 1778
Did not attend in 1779

Timothy Edwards
Elected: October 8, 1778
Did not attend Congress

Elbridge Gerry
Elected: October 8, 1778
Attended: February 1 to May 31, 1779

John Hancock
Elected: October 8, 1778
Did not attend in 1779

Samuel Holten
Elected: October 8, 1778
Attended: February 1 to May 31, 1779

James Lovell
Elected: October 8, 1778
Attended: February 1 to May 31, 1779

NEW HAMPSHIRE

Samuel Ashley
Elected: March 24, 1779
Did not attend Congress

Josiah Bartlett
Elected: August 14, 1778
Did not attend in 1779

Nathaniel Folsom
Elected: August 20, 1778; March 24, 1779
Did not attend February to May 1779

George Frost
Elected: August 18, 1778
Attended: February 1 to April 16, 1779

Woodbury Langdon
Elected: April 3, 1779
Did not attend February to May 1779

Nathaniel Peabody
Elected: March 25, 1779
Did not attend February to May 1779

John Wentworth
Elected: August 18, 1778
Did not attend in 1779

Joshua Wentworth
Elected: April 1, 1779
Did not attend Congress

William Whipple
Elected: August 18, 1778
Attended: February 1 to May 31, 1779

NEW JERSEY

Abraham Clark
Elected: May 25, 1779
Did not attend in 1779

Elias Dayton
Elected: December 12, 1778
Did not attend Congress

John Fell
Elected: November 6, 1778
Attended: February 1 to May 31, 1779

Frederick Frelinghuysen
Elected: November 6, 1778
Attended: February 1-27; March 11-24, 1779

William C. Houston
Elected: May 25, 1779
Did not attend in May 1779

John Neilson
Elected: November 6, 1778
Did not attend Congress

Nathaniel Scudder
Elected: November 6, 1778
Attended: April 26 to May 31, 1779

John Witherspoon
Elected: November 6, 1778
Attended: February 16 (intermittently) to May 31, 1779

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NEW YORK

James Duane
Elected: October 16, 1778
Attended: February 1 to May 31, 1779
William Floyd
Elected: October 16, 1778
Attended: February 1 to May 31, 1779
John Jay
Elected: November 4, 1778; February 4, 1779
Attended: February 1 to May 31, 1779
Francis Lewis
Elected: October 16, 1778
Attended: February 1 to April 28? 1779
Gouverneur Morris
Elected: October 16, 1778
Attended: February 1 to May 31, 1779
Philip Schuyler
Elected: October 16, 1778
Did not attend February to May 1779

NORTH CAROLINA

Thomas Burke
Elected: August 12, 1778
Attended: February 1 to May 31, 1779
Cornelius Harnett
Elected: April 25, 1778; May 8, 1779
Did not attend February to May 1779
Joseph Hewes
Elected: February 4, 1779
Did not attend February to May 1779
Whitmell Hill
Elected: August 12, 1778
Attended: February 1 to April 20? 1779
John Penn
Elected: April 25, 1778; May 8, 1779
Attended: February 1 to May 31, 1779
William Sharpe
Elected: February 4, 1779
Attended: April 15 to May 31, 1779
John Williams
Elected: April 28, 1778
Did not attend in 1779

PENNSYLVANIA

John Armstrong, Sr.
Elected: November 20, 1778
Attended: February 26 to May 31, 1779

Samuel Atlee
Elected: November 20, 1778
Attended: February 1 to March 9?; April 5? to May 31, 1779

Edward Biddle
Elected: November 20, 1778
Did not attend in 1779

William Clingan
Elected: November 20, 1778
Attended: February 1 to March 1, 1779

James McLene
Elected: March 2, 1779
Attended: March 4 to April 6?; May 31, 1779

Frederick A. Muhlenberg
Elected: March 2, 1779
Attended: March 3-5?; March 22? to May 31, 1779

Daniel Roberdeau
Elected: November 20, 1778
Attended: February 1-18? 1779

James Searle
Elected: November 20, 1778
Attended: February 1 to May 31, 1779

William Shippen, Sr.
Elected: November 20, 1778
Attended: February 1 to May 31, 1779

Henry Wynkoop
Elected: March 2, 1779
Attended: April 6 to May 31, 1779

RHODE ISLAND

John Collins
Elected: May 6, 1778; May 5, 1779
Attended: February 1 to May 31, 1779

William Ellery
Elected: May 6, 1778; May 5, 1779
Attended: February 1 to May 31, 1779

Stephen Hopkins
Elected: May 6, 1778; May 5, 1779
Did not attend in 1779

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Henry Marchant
Elected: May 6, 1778; May 5, 1779
Did not attend February to May 1779

SOUTH CAROLINA

Thomas Bee
Elected: February 5, 1779
Did not attend in 1779

William Henry Drayton
Elected: January 21, 1778; February 17, 1779
Attended: February 1 to May 31, 1779

Thomas Heyward
Elected: January 22, 1778
Did not attend in 1779

Richard Hutson
Elected: January 22, 1778
Attended: February 1-26? 1779

Henry Laurens
Elected: January 21, 1778; February 5, 1779
Attended: February 1 to May 31, 1779

Rawlins Lowndes
Elected: February 17, 1779
Did not attend Congress

John Mathews
Elected: January 22, 1778; February 5, 1779
Did not attend February to May 1779

Arthur Middleton
Elected: February 5, 1779
Did not attend in 1779

Edward Rutledge
Elected: February 5, 1779
Did not attend in 1779

VIRGINIA

Thomas Adams
Elected: May 29, 1778
Attended: February 1 to April 28, 1779

William Fleming
Elected: December 14, 1778
Attended: April 28 to May 31, 1779

Cyrus Griffin
Elected: May 29, 1778
Attended: February 1 to May 31, 1779

Francis Lightfoot Lee
Elected: May 29, 1778
Attended: February 1 to April 16, 1779
Richard Henry Lee
Elected: May 29, 1778
Attended: February 20 to May 24, 1779
Thomas Nelson
Elected: December 10, 1778
Attended: February 18 to April 22, 1779
Meriwether Smith
Elected: May 29, 1778
Attended: February 1 to May 31, 1779

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Illustrations

View of Philadelphia endpapers

"An East Prospect of the City of Philadelphia; taken by George Heap from the Jersey Shore, under the Direction of Nicholas Scull Surveyor General of the Province of Pennsylvania." This detail is from an engraving by Thomas Jefferys based on an etching of the city published in Thomas Jefferys, *A General Topography of North America and the West Indies. Being a Collection of All the Maps, Charts, Plans, and Particular Surveys, That Have Been Published of That Part of the World, Either in Europe or America* (London: R. Sayer, 1768).

Pennsylvania's Charges against Gen. Benedict Arnold, February 3, 1779 27

Pennsylvania officials had long been frustrated over the exercise of Continental authority within the state and especially with the imperious conduct of Gen. Benedict Arnold, the military commander of Philadelphia since the British evacuation of the city. They had on January 25 lodged an official complaint with Congress, charging Arnold with using public wagons for transporting privately owned goods from which he profited, and they quickly broadened their attack by adding seven other charges, which they published in the Philadelphia newspapers and printed as the broadside illustrated here for distribution to the states to develop wider support for their campaign against the general.

Congress was reluctant either to antagonize Pennsylvania or to proceed against Arnold, believing the charges against him overblown, but as a compromise finally ordered General Washington to convene a court-martial to hear four of the most substantial charges. Nearly a year elapsed, however, before a verdict was reached in the case. Although Arnold ultimately received a reprimand for two of the charges—which declared his conduct "reprehensible" in the one instance and "imprudent and improper" in the other—Pennsylvania officials remained disgruntled over Congress' handling of their grievances, and critics of the state continued to believe that Pennsylvania's special pleading had eroded respect for Continental authority.

Rare Book and Special Collections Division, Library of Congress.

Frederick Frelinghuysen 77

Born in 1753 and graduated from the College of New Jersey in 1770, Frelinghuysen had been a tutor at Queens College in New Brunswick for a time before turning to the study of law, and had practiced only briefly

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after his admission to the New Jersey bar in 1774 before becoming drawn into the current of public affairs at the onset of the American Revolution. He quickly found military life congenial, however, and soon became colonel of the First Somerset Regiment of New Jersey militia, with which he saw action during an unsuccessful attack on Staten Island and in the campaign to defend Philadelphia during August and September 1777. The following June he was a participant in the running fight with Sir Henry Clinton's fleeing troops from Camden to Monmouth Court House, but in November 1778 he resigned his command when he was elected by the New Jersey assembly to represent the state in Congress, in which he served from January to March 1779. Only 25, Frelinghuysen soon confided to a friend that "in the Character of a Delegate" he felt "totally inadequate," and in April he submitted his resignation. He was again elected to Congress in 1782, but apparently still felt uncomfortable with the appointment and did not attend, although he did subsequently assume the legislator's role in both the New Jersey Assembly during 1784-85 and 1800-1803 and in the United States Senate, 1793-96. He died in 1804.

American school, 18th century. Courtesy Joseph S. Frelinghuysen, Jr., and the Frick Art Reference Library.

Thomas Adams 88

Adams (1730-88), of Henrico County, Va., had spent the prerevolutionary decade pursuing a commercial career in London, but he returned to America in 1774 and quickly became active in the movement against Britain. He stepped onto the Continental stage when he was elected a delegate to Congress, which he attended from April to August 1778 and from January to April 1779. There his mercantile experience landed him appointments to the Marine Committee and the Committee of Commerce, for which he participated in some of the negotiations with Beaumarchais' agent Francy over the importation of arms and supplies from France. He was also appointed to the Medical and the Indian Affairs Committees, and he was a signer of the Articles of Confederation. During a number of votes involving the Deane-Lee controversy, Adams voted against the allies of the Lee family, but he resigned from Congress before the crucial votes on the recall of William and Arthur Lee were taken. Adams moved west to Augusta County after he returned to Virginia, where he died in 1788 after three years additional public service during 1783-86 in the Virginia Senate.

LC-USZ62-54660.

Observations on the American Revolution 123

The arrival of the Carlisle Peace Commission in America in June 1778 opened a new round in the contest for American minds that did not come to a close until well after the commissioners returned to England in December. In their final official act, the commissioners had issued an appeal directly to the people on October 3, offering pardon to all who signified their desire for it within 40 days, a gesture that led Congress on October 26 to appoint a committee to publish an account of the commissioners' peace overtures with "such notes and explanations . . . as . . . shall appear proper." The result was a pamphlet of 122 pages written by Gouverneur Morris under the title *Observations on the American Revolution*. Thirteen hundred copies of it were printed by Styner and Cist in late February 1779.

Essentially a review of Anglo-American relations from the Stamp Act through 1778, Morris' *Observations* were designed above all to demonstrate British responsibility for the war with America and to remind Americans of some of the barbarities and excesses practiced by agents of the king. The publication was the nearest Congress ever came to issuing an official history of the revolution. It would in modern parlance be labeled a white paper. Noting that the commissioners' October 3 manifesto had contained a parting warning that Americans faced ruin if they continued to reject the terms they had been offered, Congress concluded with a threat of its own. "On the part of America it is declared," Morris wrote, "that if the war is prosecuted in a manner not conformable to the laws of nations, the conduct of her enemies shall be retaliated."

Jefferson Collection, Rare Book and Special Collections Division, Library of Congress.

Fast Day Proclamation, March 20, 1779 212

On March 4, 1779, Congress instructed a committee to prepare "a recommendation to the several states to set apart a day of fasting . . . , and an earnest address to the inhabitants thereof to rouse them to vigorous exertions on the present critical situation of public affairs." And on March 20 the delegates adopted the committee's draft proclamation, written by Gouverneur Morris, setting aside the first Thursday in May (May 6) as "a day of fasting, humiliation and prayer to Almighty God, that he will be pleased to avert those impending calamities which we have but too well deserved," the fifth such day proclaimed by Congress since the beginning of the revolution.

Continental Congress Broadside, Rare Book and Special Collections Division, Library of Congress.

John Penn 278

Penn was born in 1740 or 1741 in Virginia, where he was educated, studied law with Edmund Pendleton, and was admitted to the bar in 1762. But he moved in 1774 to Granville County, N.C., and it was there that his public career was launched. He was elected to the North Carolina Provincial Congress of 1775 and as a member of that body was elected a delegate to Congress, which he attended with considerable regularity from

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the autumn of 1775 until March 1780. He is chiefly remembered as a signer of the Declaration of Independence and of the Articles of Confederation. Considering his length of service in Congress, he held comparatively few committee assignments, although he served for a time on both the Marine and Medical Committees. He clearly did not get along with Henry Laurens, and their differences over the Deane-Lee controversy and Penn's defense of Robert Morris eventually brought them to a duel in January 1779. In April 1779, Penn attempted to embarrass Laurens with his constituents for supporting New England claims to the northern fisheries, but he otherwise generally steered clear of controversy. He returned to North Carolina in 1780 to serve on the state's board of war during the southern campaign of 1780–81 and acted briefly as a receiver of Continental revenues in the state during Robert Morris' superintendency of the finance department. In ill health, he subsequently returned to the practice of law, and he died in 1788.

Miniature on ivory by an unidentified artist, ca. 1780. Courtesy of The Historic New Orleans Collection and the Collection of Mrs. Duncan Parham.

Meriwether Smith's Appeal to the Public, May 25, 1779 488

Meriwether Smith (1730–90), a planter-merchant of Essex County, Va., emerged as a leader of the opposition to British authority during the Stamp Act crisis and subsequently held a number of important public posts during the 1770s and 1780s. He served several terms in the Virginia assembly from 1775 to 1788, and he was a delegate to Congress in 1778–79 and 1781. There his experience in commercial affairs landed him appointments to the Committee of Commerce and the Marine Committee, and in 1779 he was named the Virginia representative on the 13-member Foreign Affairs Inquiry Committee that recommended the recall of the American commissioners abroad. His opposition to Arthur and William Lee increasingly brought him into conflict with the Lees' supporters in Congress, particularly Henry Laurens, who crossed swords with Smith a number of times during the recall debates. Their quarrel became public knowledge in May when Smith attempted to discredit Laurens over statements "derogatory to the honor of Congress" contained in an intercepted letter from Laurens to Georgia governor John Houstoun that was published in the *New York Royal Gazette*. And when Laurens' defense of his conduct was entered on the journals of Congress but Smith's motion to place his rebuttal on the record was denied, Smith printed Congress' three-day proceedings on this episode in the May 29 issue of the *Pennsylvania Packet*. The following round in this prolonged bout was fought in the Virginia House of Delegates, where the Lees' allies secured passage of legislation barring merchants from representing the state in Congress. Although Smith relinquished his seat in 1780 as a consequence, he returned to Congress for another term in 1781.

From the *Pennsylvania Packet*, May 29, 1779.

Philadelphia Committee Broadside, May 25-26, 1779 541

By 1779 runaway inflation had brought considerable hardship to many areas of America, and in May the inhabitants of Philadelphia marshaled a popular protest movement to bring prices under their control. At a town meeting of May 25, a committee was formed to regulate the activities of "monopolizers and forestallers," who were seen as the principal cause of the high prices and scarcity of goods and provisions in the city. And the following day a list of prices was published "By order of the Committee," which also began investigating "complaints against such dealers as may refuse to comply with, or shall obstruct the execution of this necessary regulation." A few local merchants were quickly brought under popular control, but the committee encountered a greater obstacle to its authority in the French consul and agent of marine, Jean Holker, who had employed a number of purchasers to stockpile flour for the French fleet. Seeking Continental protection for his activities, Holker inevitably embroiled Congress in his confrontation with the Philadelphia committee, and in August he secured through the intervention of the French minister to the United States, Conrad Alexandre Gérard, a declaration that the measures he had taken to procure flour were "fully approved by Congress."

Rare Book and Special Collections Division, Library of Congress.

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LETTERS OF DELEGATES TO CONGRESS

12

February 1–May 31, 1779

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John Fell's Diary

Monday February 1st. 1779.

Commercial Committee. Letter from Chevalier Cambray, going to So. Carolina to Put the fortifications in order. Genl Washington apply'd for leave to return to Camp, came and took his leave of Congress.[1] Letter from the Assembly of Masachussets Bay, to request the Embargo to be taken off, in order to Import grain to the Eastward, also a complaint from Rhode Island of the great want of Flour and other Provision, the Inhabitants being in a Starving condition, Referrd to a Committee of 5, vizt. Dyer, Ellery, Paca, Laurens and Floyd.[2] Memorial of Sundry People in Phila. acquainting of a Number of Privateers on the Coast and if Congress will sell one of their Frigates they will fitt her out for the Protection of Trade; Motion for Selling the 2 Frigates on the 1st of March Committed to the Marine Committee. Letter from Gl Washington relating to Genl McIntosh for want of Provisions at Fort Pitt. The General to Arrange the Quarter Masters and Commissary department to the Westward. President Reads complaint agst M Clarkson, Orderd that he do not leave the City till he has satisfied the Council.[3] 6 PM Committee on foreign Affairs.

MS (DLC).

[1] Congress had granted Washington "leave to return to the army" on January 30. *JCC*, 13:125.

[2] See Samuel Holten to the Massachusetts Council, February 9; and Rhode Island Delegates to William Greene, February 9, 1779.

[3] Maj. Matthew Clarkson, an aide to Gen. Benedict Arnold, had become caught in the conflict between Arnold and the Pennsylvania Council. The Pennsylvania Council had charged Clarkson with disrespect when he refused to cooperate in their investigation of him for granting a pass to Hannah Levy to enter the enemy's lines, an authority Congress had expressly stated was to be exercised by the state. See *JCC*, 11:825, 13:131; and John Jay to Joseph Reed, January 27, 1779, note 2.

Foreign Affairs Inquiry Committee Minutes

Feby 1st [1779]

Present Whipple, Fell, Searle, Paca, Ellery, Elsworth, Burke, Langworthy.[1]

Paris. March 12 1777 from B F & S.D. to the Committee.[2] It was no secret that 200 Brass field Peices, 30,000 stand of Arms &c &c had been taken from the Kings Magazine; the Ministry effected to know nothing of it.

Informed that 2,000,000 Livres Granted by the crown that such was the Kings generousity he exacted no conditions or promise of repayment.

Apl. 9th continued. Mr. Lee is gone to Spain before orders arrived for B.F. to go thither. A contract with the Farmers Genl. for 4000 Hhds Tobacco, shall receive the first advance of 2,000,000 livres next month.

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Nants March 17th 1777 from Jona Williams to Committee inclosing a letter from A. Lee.

Vitoria in Spain March 18 from A. Lee. Mentions assurances of friendship in the Spanish Court.

Nants March 23 1777 from J. Williams to Committee—accompaning Dispatches.

Apl. 20th 1777 from J Williams accompanying invoice of goods on Board the Teresa bound to Hispaniola.

June 1st from the same [. . . .]

Paris May 18th 1777 from A. Lee—going to Berlin, refers to inclosures.

Paris May 25 1777 from B.F. & S.D.—mentions Mr Lee's departure for Berlin by their aprobation, receiv'd large sum of money from Spain. Marquis La Fyate.[3]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] For the creation of this committee, see Foreign Affairs Inquiry Committee Minutes, January 21, 1779.

[2] The letters by Benjamin Franklin, Silas Deane, and Arthur Lee read by the committee this day are in Wharton, *Diplomatic Correspondence*, 2:283-90, 292-96. Those of Jonathan Williams are in PCC, item 90, fols. 549, 553, 557, 561-63.

[3] For the continuation of these proceedings, see the committee's minutes, February 3, 1779.

John Jay to George Washington

Sir, Philadelphia 1st Feby. 1779

Congress have this day passed an Act, of which the enclosed is a copy, on the Subject of your Excellency's Letter of the 30th Ult., whereby they have resolved that You give such directions, as you may think proper, for arranging the Commissary's and Quarter Master's Departments to the Westward &c.[1]

I have the honor to be Sir, with the greatest Respect, Your Excellency's most Obedt. & very humble Servant, John Jay, Presidt

---

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 13:130-31. Washington's January 30 letter to Jay, reporting Gen. Lachlan McIntosh's estimates of his provisions needs at Fort Pitt, is in PCC, item 152, 7:97-99, and Washington, *Writings* (Fitzpatrick), 14:54-56.

Thomas McKean to the Public

For the Pennsylvania Packet. Water street, Philad. Feb. 1, 1779.

In a piece published in the Packet of the 31st December[1] last I called upon Brigadier Thompson to mention the affair of a *private nature* he alluded to, as an excuse for his unprovoked and malicious conduct towards me, for that I knew it not, and never had an angry word with him in my life previous to his rude behaviour in the Coffee-house. Upwards of four weeks have elapsed, and he has not thought proper to communicate this *private* affair, either to the public or to myself. If he had conceived that I had affronted him on any occasion, I apprehend he should have mentioned it to me, either verbally or in writing before he did any thing farther; that gentlemen always acted this part; and that the *public* had nothing to do with affairs of a *private* nature. Agreeable to an opinion I then entertained, that he had rendered it necessary for the material parts of the transaction in Congress respecting him to be published, that the public, to whom he has appealed might have an opportunity of forming a judgment of his behaviour, and particularly of his veracity, I shall state the information given to Congress, the testimony of a few of the witnesses, his apology, and the determination of Congress thereupon. As many of the witnesses, who have been examined, were either at a distance, or came into the Coffee-house towards the conclusion of the altercation, they knew little of the matter, and therefore it will be unnecessary to take up a newspaper by inserting their evidence; but the whole of the proceedings are lodged with the printer, for the perusal of any person who may chuse to take the trouble. It may be proper to remark, that I never spoke to any of the witnesses who were examined, nor to any other gentleman, that was in the Coffee-house, to learn what he knew of this matter, nor interfered in producing any evidence whatsoever; and that it is not improbable many persons, that were not called upon, heard more than most of those who were. Before I conclude, justice to myself and a desire of a continuation of the esteem of the virtuous sons of liberty, compel me to remark, that Brigadier Thompson has asserted, "That I refused going into a room in a tavern in this city where *he* and a number of other officers were, alledging that I would not sit down with a parcel of upstart Continental officers, or words to that effect." The malicious design of this invented tale is obvious, and it has been circulated by his partizans, I am told, with great industry among the gentlemen of the army. As I have not been able to find out when, where or how this pretended speech should have happened, and I cannot recollect a single circumstance that could give the least foundation for it, all I can do is to deny it, declaring that I have not been in a tavern in this city, where the Brigadier was to my knowledge, for upwards of two years past. I rest assured, that those gentlemen, with whom I am acquainted, would not credit this idle story, even if I had suffered it to pass unnoticed, and those, who do not know me, after this ought not to believe it.[2] Thomas M'Kean

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, February 2, 1779.

[1] See Thomas McKean to the Public, December 30, 1778, which was printed in the *Pennsylvania Packet*, December 31, 1778.

[2] Although this was McKean's final public letter on this dispute, a related letter written by "A.B." on behalf of General Thompson appeared in the February 9 issue of the *Pennsylvania Packet*, and one written by John McKinly was printed in the *Packet* on February 25.

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Marine Committee to the Eastern Navy Board

Gentlemen Marine Committee, Philada. Feby. 1st. 1779

General Greene the Quarter Master General having made application to this Committee for four hundred Pieces of light Sail Duck Suitable for making Tents for the army—we referred him to the Committee of Commerce who have wrote to Mr Bradford the Agent at Boston desiring him to consult with your Board,[1] and if he had your approbation to deliver that quantity or as much as could be Spared.

Provided this Duck can be spared without prejudice to the Navy, we request you will give orders for the delivery of it. We are Gentn., Your hble servants, Signed, S. Adams. Chairman

(Copy.)

Tr (PPAmP: Nathanael Greene Papers). In the hand of John Brown.

[1] The Committee of Commerce's letter to the Eastern Navy Board has not been found, but the board's February 22 reply to this letter of the Marine Committee is in the Eastern Navy Board Letterbook, NN.

John Fell's Diary

Tuesday Feby 2d. 1779.

Commercial Committee[1] 9 oC Congress. Motion for Powder, Shot & Armes to be sent to So Carolina Per Col Cambra, that the General send an Engenier to So Carolina, Letter from Gl Gates. Letter from do to Genl Washington. Letter from Gl Green reccomending a plan for setling the Account of People who have sufferd damage by the Army. Referrd to the Committee to consult with the Quarter Master General.

Board of Warr to contract with Monsr Penet & Co for Fire Arms &c.[2] Report Read from the Committee of Appeals.[3] At 6 PM attended the Committee on foreign affairs but not members enough, did no Business.[4]

MS (DLC).

[1] The Committee of Commerce wrote a brief letter this day to Jean Holker requesting bills of exchange in return for Continental money. An extract of the letter, written by Francis Lewis and signed by Lewis, Fell, and James Searle, was printed as item 33 in *John Heise Autograph Catalog*, no. 850 (February 1926): "Agreeable to your promise communicated by Mr. Samuel Curson we are to request you would furnish him with a sett of Exchange for Twenty Two Thousand Eight Hundred & fifty seven Livres Tournois & one seventh of a livre equal (at the exchange of nine hundred percent) to TWENTY FOUR THOUSAND CONTINENTAL DOLLARS for which sum we will furnish you with a Warrant on the Treasurer. The bills should be made payable to Messrs Curson & Gouveneur or order."

[2] Congress' resolution authorizing the Board of War "to contract with Mr. Peter Penet, for himself, Windel & Co. for a suitable number of muskets, . . . and other arms, to be manufactured in these states" amended a similar resolution of January 2 involving "Messrs. Penet & Couloux." *JCC*, 13:16–17, 134. Although Penet's original proposal did not specify a site for his "Continental manufactory," a January 24 letter from him to Daniel Carroll indicates that he was interested in locating in Maryland. See *JCC*, 12:1059, 1167, 1185n; PCC, item

41, 8:60-63; and *Calendar of Maryland State Papers: The Red Books*, 3 vols. (Annapolis: Hall of Records Commission, 1950-55), 3:51. For Penet's negotiations with Virginia later in 1779, for locating his "Manufactory" on the James River, see also Jefferson, *Papers* (Boyd), 3:49-50, 70, 125-47.

[3] For the report of the committee appointed on January 21, 1779, to review the January 19 report of the Committee on Appeals in the case of the sloop *Active*, see *JCC*, 13:86-92, 97, 134-37.

[4] The committee's minutes for this day simply list the members attending: "Present Whipple, Ellery, Elsworth, Fell, Searle, McKean." Foreign Affairs Inquiry Committee Minutes, Capt. J. G. M. Stone Collection, Annapolis, Md.

William Floyd to George Clinton

S'r, Philadelphia Feb. 2d 1779.

Inclosed I Send you a News papers which Contains the Chief of the News that is here, Except by a vessel Just arrived from Martinique in 13 days, and another at Baltimore in 10 days we are Informed, that the Count D'Estaing, Cruising in the West Indies in Expectation of meeting with the English, which went from New York last fall, unluckily mist of them; they went directly to St. Lucia and took that place, the Count Soon getting notice thereof went there; when he arrived, he found their Ships Covered with Such Strong Batteries that he did not think it proper to Risk his own to attack them, But Concluded to attack them by Land, for which purpose Landed his Troops, what number is uncertain, Some Say 5, 6, or more thousand men. The Count being apprehensive that Admiral Byron might arrive there with his fleet and be too Strong for him, which precipitated him to attack them by Storming their Stronghold, he was Repulsed with very Considerable Loss, Some Say near 1500 men;[1] he Returned with the Remainder of his men and Ships to Martinique and is now Joyned by 6 Capitol Ships from France, and it is Said with Several Thousand men; this augmentation of his navy will make him Superior to Byron, and Enable him to Strike the Enemy where he pleases, without being under a necessity of makeing any Rash attempts.

The application you made to General Washington Sometime Since, with Respect to the Demands on the Commissary and Quarter master, and which they did not think them Selves authorised to pay, he laid before Congress, and they thereupon Resolved that the Commissary and Quartermaster be directed to pay all Such of those accounts as your Excellency Should Judge proper.[2]

I am Sorry as well as Grieved, that I am not able to Inform you that Something is done in that Important affair of Vermont.

There has nothing Important to our State, that has lately passed in Congress, the Grand Business which has for a Considerable time taken up their attention and is not yet finished, is the arranging and Recruiting our army.

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When any thing of Importance happens here I Shall do my Self the pleasure to Inform you. In the mean time I am S'r your most humble Serv't, Wm. Floyd.

Reprinted from Clinton, *Papers* (Hastings), 4:538-39.

[1] For a discussion of d'Estaing's repulse on December 15-16 while attempting to retake St. Lucia from the British, see William A. James, *The British Navy in Adversity* (1926; reprint ed., New York: Russell and Russell, 1970), pp. 117-18.

[2] See John Jay to George Clinton, January 31, 1779.

Maryland Delegates to Thomas Johnson

Dear Sir Philadela. Feby. 2d. 1779.

Your Letter of the 28th Jany. by express we had the Honour of receiving yesterday.[1] By the enclosed Letter from the Commissary General of purchases,[2] you will discover the quantity of flour he expects to receive from the State of Maryland, and also his apprehensions arising from Distillers unless immediate and effectual Measures are adopted to prevent them.

We have inquired of Mr. Whipple and Mr. Morris who are appointed by Congress to assist and inspect into the Commissary Department, and they inform us that it will not be immediately necessary to call the General Assembly, especially as they are informed, it meets by appointment on the first of March;[3] at the same time they earnestly request you will afford every assistance in your power to the Commissary of purchases.

By the resolution of Congress the Sum alotted to Maryland is 1,560,000. The reason of her quotas being as large we have related to you in our Letter by the last post.[4] The latter part of your Letter we shall answer by the next post.

We are Sir with the highest respect and Esteem your mo obedt. Servts.

Wm. Paca

Wm. Carmichael[5]

John Henry Jn

RC (MdAA: Red Books). Written by Henry and signed by Henry, Carmichael, and Paca.

[1] The Maryland Council's January 28 letter requesting additional information on the quantity of grain desired by commissary Jeremiah Wadsworth is in *Md. Archives*, 21:286-87.

[2] For Jeremiah Wadsworth's February 1 letter to Gouverneur Morris and William Whipple, the committee superintending the commissary department, see *Calendar of Maryland State Papers: The Red Books*, 3 vols. (Annapolis: Hall of Records Commission, 1950-55), 3:52.

[3] Morris and Whipple were misinformed. See Maryland Delegates to Johnson, February 9, 1779.

[4] Maryland Delegates to Johnson, January 29, 1779.

[5] This day Carmichael also wrote a letter to Charles Carroll of Carrollton, which has not been found but was acknowledged by Carroll in a February 8 reply that is in the Carmichael Papers, MdHi. Expressing particular pleasure over Carmichael's report that he had perceived "a general spirit in Congress to examine into the conduct of peculators & Defaulters," Carroll went on to discuss a number of public issues which indicate that Carmichael was keeping him informed of the chief measures coming before the delegates.

William Whipple to Joseph Whipple

My Dear Bror. Philadelphia 2d Jany. [*i.e.* February] 1779[1]

My last was about the 19th Ulto.[2] I have this day receiv'd Yours of the 18th by which I find you have not yet just conceptions of the late Publications. Those under the signature of Common Sense it seems are looked upon as the productions of a party hireling; you may be assured that it is not the case. That writer has no doubt a very good opinion of the Lee's and so has every honest American who knows the true Character of those Gentn. It is true he (C—— S——)[3] has very imprudently expos'd some secrets, which ought not to have been known, and so has Mr. D.[4] and he that began this business is certainly most Culpable. Your Old Friend L.[5] is very angry to see a letter of his in the paper, that letter was wrote before he was acquainted with Mr. D——s conduct or his true character. I have not leasure at present to give you a particular history of those matters, & shall therefore content myself with telling you that there is at least one palpable falsehood in D——s address & several villanous insinuations. I see in a Boston paper of 18th Jany. an answer to D—— This writer takes up the matter very justly. I don't know who he is, but he is certainly well informed, on the whole I hope all things will come right in time.

A new scene of difficulty opens in the South, the Enemy have almost over run Georgia & even threaten South Carolina, it is to be fear'd they will geather Great strength in that Country, as there are many Disaffected, besides the opportunity they will have of arming the Negros, however more of this hereafter.

We have had no authentic accots. from Europe for sometime. Accots from the west Indies of the french fleet are not very favorable, the Commander there may be brave, but his conduct both here & there give occation to call in question his Wisdom.

Adieu. Yours &c. WW

P.S. I thank Mrs. B for her very kind letter. I shall write to her the first oppy.[6]

W.D.[7] is suppos'd to be a person who is forming some grand Commercial plan with D. therefore wishes he (D) may return to Europe in a public charecter—some vilanous project is probably in contemplation which time it's hoped will discover.

RC (MH-H: Sturgis Papers).

[1] Although Whipple clearly dated this letter "2d Jany," internal references to newspapers and letters of a later date indicate that it must have been written in February.

[2] See Whipple's January 19, 1779, letter to Joseph.

[3] That is, Common Sense.

[4] Silas Deane.

[5] Not identified.

[6] No letter from Whipple to his sister Mrs. Joshua Brackett has been found.

[7] Probably William Duer, who had remained in Philadelphia after leaving Congress to assist in Silas Deane's defense, and later formed a commercial arrangement with him. See James Duane to Robert R. Livingston, January 3, 1779, note 3; and *Deane Papers* (NYHS Colls.), 22 (1889): 168-69, 190.

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William Henry Drayton to Charles Lee

Sir, Philadelphia, Feb. 3d, 1779.

MY colleague, Mr. Hutson, hath this day mentioned to me, a conversation you had with him, in which you expressed yourself as injured by a misrepresentation of your conduct immediately preceding your captivity by the enemy, in a charge I had the honour to deliver, as Chief Justice, to the Grand Jury of Charlestown, South Carolina.[1]

I must inform you, Sir, that, on the one hand, I have been repeatedly assured the representation I then made was a true one; and that, on the other hand, I have also been assured, that it was not founded on fact; and that, immediately upon this latter assurance in South Carolina, I took that step which was most likely to lead me to a certainty on the subject, with the avowed design, that if I had injured your reputation, I might be enabled to make the most ample reparation; but I did not receive the necessary materials. Those sentiments of propriety which dictated the first advance on my part then, to acquire them now dictate a like conduct when another opportunity seems to open itself for my arriving at truth, and to do that justice which the case may require. And I do assure you, that if I can be enabled to declare, that you did not violate the orders of the commander in chief, respecting your junction with him, when he had retreated to the Delaware in 1776, I shall not only do so in the most pointed terms, but beg your pardon for having, through error and misrepresentation, published the contrary.

To this purpose, I wrote to Major Eustace on the 6th of January 1778, when I was in Charlestown, and had no prospect of coming to this part of the Continent; and a copy of the correspondence between him and myself on the occasion I will lay before you, if you desire to see it.

Those principles of honour which must make you feel an injury, make me feel even an idea of having done an injury, and impels me to make a reparation where it is due.[2]

I am, Sir, Your most obedient Servant, Wm. Henry Drayton.

MS not found; reprinted from Charles Lee, *Anecdotes of the Late Charles Lee, Esq.*, ed. Edward Langworthy (London: J.S. Jordan, 1797), pp. 49–50. First printed under the title *Memoirs of the Life of the Late Charles Lee, Esq.* (London: J. S. Jordan, 1792).

[1] The hostility between General Lee and Drayton can be traced to June 1776 when the former assumed command of the defense of Charleston and tactlessly scoffed at suggestions offered by Drayton for the fortification of the city. Lee's conduct in December 1776 subsequently provided Drayton the opportunity to criticize Lee's generalship, which he exploited during his delivery of a charge to the grand jury of Charleston soon thereafter.

Although Lee seized upon that incident to reopen his feud with Drayton, it seems probable that he had been moved to denounce Drayton to Richard Hutson because of the enmity Willian Henry had shown against him during Congress' debate on the court-martial sentence arising from Lee's behavior at the battle of Monmouth. According to Edward Langworthy, himself a participant in that debate and later the editor of Lee's papers, Drayton's conduct "was vituperated by Lee in the severest language, because he opposed in Congress a division of the several charges brought against him, but argued and insisted upon lumping them all together, to be decided by one question." Ibid., p. 48. See also John R. Alden, *General Charles Lee: Traitor or Patriot?* (Baton Rouge: Louisiana State University Press, 1951), pp. 266–70; and William M. Dabney and Marion Dargan, *William Henry Drayton & the American Revolution* (Albuquerque: University of New Mexico Press, 1962), pp. 154–56.

[2] Lee's scathing February 5 reply to Drayton is in *Anecdotes of the Late Charles Lee*, pp. 50–52.

James Duane's Minutes of a Conference with Gérard

[February 3–4, 1779]

Minutes of conference. 3d Feb. 1779.[1]

J D & Mr. Hudson for Congress and the Minister of France.
Conference opend in behalf of Congress by the Committee.
1st Subject. The State of the Country as to Bread.

I. In general plentiful—now shortened—by the following Circumstances
  1. Many Farmers employd in the War.
  2. Husbandry discouragd for want of Markets.

II. Large demands.
  a. Losses of Magazines.
  b. Encrease of Consumption to the Eastward.
  c. By Burgoyne's Army.
  d. French fleet.
  e. Our own Army.
  f. Ravages of the Indians. Burning Grain—& driving off the Frontier Inhabitants.
  h. Arts of our Enemies.
  i. Fly & Floods.
  j. Frauds of Forestallers.
  k. Southern war.

That on Minister's Applic[atio]n Congress appointed a Committee—to examine into the State of the provisions.

A. Their report to Congress—
On Official Information of Comy. General.
B. Their Sentiments doubtful.
C. Further Information sought for. This the occasion of delay.

In conclusion—We offerd
1. Immediate Supply of 1000 Bbls. of Flour in Virginia
2. Further aid according to Circumstances; & to exert ourselves to draw forth the Remains of Flour into the publick stores.
3. Submitted it whether it will not be wise for the Minister to look for supplem[enta]l Aid from Europe.

Second Subject of Conference
On Bills of Exchange

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We represented:

I. The high Confidence Congress place in the King & his Minister.
II. The embarrassed State of our Finances.
III. How affected by Bills of Exchange.
IV. That we were appointed to Consult with him on the Means of avoiding the impending Evils to our Currency from the Rise of Exchange.

The Minister on first Subject of Conference:

He declares he is Sensible of good Intentions of Congress. Entertains the highest Confidence of them. Has accrud constant Proofs. As to the Flour he recd repeated offers & promises of a Supply from the Marine Committee. Some delays in the delivery on former Occasions. Seems to be apprehensive of Mismanagt. in executive officers. Has had offers of a Supply of 3000 Bls. in Pensa. & other offers from the Southward. Restrained from accepting them least it might embarrass Congress. Will not either ascertain the Measure of his demand or wish Congress to ascertain the measure of their Supply. Depends upon their doing all in their power to assist him. Is something relievd from Accounts that the Count D'Estaign has recd. 60 Sail of Transports under convoy of four ships of the Line from Europe. Will give orders for disposing of the 1000 Bbls. Flour.

Minister on 2d Subject of Conference.

Expresses his pleasure at the Confidence Congress place in his disposition to serve these States. The Rise of Exchange had alarmd him, as he saw it woud affect our paper money. He has frequently conferred on the Subject with Mr Holker. Was surprized to find a disposition in our Capital Merch[ant]s to raise the Exchange. Advised Mr Holker to draw sparingly. Did not think it proper unasked to give his Sentim[ent]s to Congress, tho' he saw the necessity of some provision on the Subject. Will do every thing consistent with Prudence & Justice. Wishes for a Conference between Commtee, himself & Mr. Holker who is a good Judge of this Business. Can propose nothing decisively but will give all his Aid. His general Remarks not to govern us, but the Result upon further Conference.

Upon this we agreed to meet tomorrow Evening at 7 oCl at the Minister's with Mr Holker. Substantially the Conference.

Jas Duane

Richd Hutson
Committee

4th February

Committee and the Minister attended by Mr. Holker

A free conversation ensued without formality. The Minister repeated his good Intentions.

Mr Holker wished to know how the Flour deliverd for his most Christian Majesty's fleet woud be charged: whether at the Price at Boston, or the first Costs & charge of carriage?

We replied that we were confident Congress were far from Wishing to make Profit on the Supplies, & that the Account woud be settled on equitable & generous Principles.

The Minister enquired to what Exchange Congress wished the Bills of Exchange to be restricted? We first mentiond between 8 & 900 per Cent: afterwards declared that we believed it woud give satisfaction if they coud be limited at 900 per Cent. Both the Minister & Mr Holker agreed that they woud fix it on their Bills at 900 per Cent for the present; & if Circumstances required an alteration it shoud be previously mentiond to the Committee or Congress. We promised to give orders for collecting the Accounts of Supplies for the French Fleet; & Mr Holker promisd to draw up a plan for disposing or negotiating the Bills in such a way as best to answer the purposes intended.

Richd Hutson

Jas. Duane

MS (DNA: PCC, item 25). In Duane's hand, and endorsed by him: "The Committee appointed to confer with the Minister of France on the Subjects of Supplies for the Fleet of his most Christian Majesty, & of the Rise of Bills of Exchange, beg Leave to report to Congress the Minutes of their Conference which are hereunto annexed."

[1] This conference was held between the French minister, Conrad Alexandre Gérard, and members of a committee of Congress, James Duane and Richard Hutson, primarily to discuss the needs of the French navy for provisions, which had been one of Gérard's major concerns since mid-December. His disappointment over Congress' response in mid-January to his requests for flour led him this day to memorialize Congress again "respecting the quantity of flour he can depend upon for the fleet of his most Christian Majesty."

Simultaneously Congress had become increasingly concerned over the impact of French provisions purchases on the Continental currency, and therefore welcomed an opportunity to discuss with him proposals for easing pressure on the dollar exerted through the negotiation of bills of exchange by the French agent of marine, Jean Holker. Consequently, when Gérard's memorial "respecting flour" was received, Congress immediately instructed the committee that had been appointed to confer with him in January to discuss additional measures for preventing "the evils arising from the high rate of exchange."

Duane's notes on the conferences held on February 3 and 4 indicate that both sides were prepared to make substantial concessions, but the committee took no formal action in response to these talks until Gérard submitted yet another memorial on March 16, when it was directed by Congress "to report in writing the result of their Conference." Duane thus submitted these minutes on March 17, but the journals indicate that Congress simply ordered them "to lie upon the table for the perusal of the members." See *JCC*, 13:52, 97-98, 103, 138, 142, 320, 326-29; and James Duane to Jeremiah Wadsworth, January 15, 1779, note. Gérard's report to Vergennes on the issues discussed in this meeting can be found in Meng, *Gérard Despatches*, pp. 507-9. His memorials to Congress are in PCC, item 94, fols. 68, 115, 130; and Wharton, *Diplomatic Correspondence*, 2:857-58, 3:38, 78.

Oliver Ellsworth to Abigail Ellsworth

Philada. Feby 3d. 1779

I this day had the pleasure of receiving your most wellcome Letter of the 17th of Jany.

I rejoice exceedingly to hear that you & my little Girl are in health as well as the rest of our friends at East Windsor & Windsor. There is one

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stroke in your Letter that gives me some concern, & that is that you are in low spirits. I hope this is not accasioned by my absence, or the want of any provision for your comfort [and] Happiness that it would be in my power to make was I present. I am fully sensible I have out stayed the time I talked of when I came from home; but I trust I have good reasons to justify my so doing & that you will approve of them—be assured that I have not forgot my little family, or found any other pleasures that I prefer to the enjoyment of them. Nothing but a wish to discharge the duties I owe the publick & to contribute my mite to the safety & Interest of this country could have prevailed with me to have staid so long in this City, or would be sufficient to keep me here one day longer. With great pleasure I consider my present tour of duty as drawing towards a close, & that there is a prospect of my being able in about 20 days to quit my post & return home.[1]

You will do as you please about setting up housekeeping before I come. I hardly think however I shall find you at Hartford—if I should, there will be this satisfaction attending it, that I shall find you one Hour sooner than if you stay at Windsor.

The Sattin you mention I shall with great pleasure endeavour to obtain for you. And I wish you would freely purchase any thing you have occasion for & can find at Hartford, be the price what it may—If you want money call on my brother who will be glad to furnish you with it & to render you every other service in his power.

So Mrs. Mather you tell me has a fine son. I wish her satisfaction in it, but that she may re[me]mber it is mortal—a lesson which you & I my dear have learned by sad experience. This world has now fewer charms in my eyes than it once had & I have no doubt but you can say the same. Happy for us if it keeps a better world more constantly in view; & is a means of bringing us to those joys & rest into which I fully believe our dear departed little son is already entered. I thank your good Sisters for their comp[li]ments to me & all their kindness to you and am my dear, with great truth & sincerity, your friend & humbl Servt.

Olivr. Ellsworth

RC (CtHi: Ellsworth Papers).

[1] Ellsworth obtained leave of absence from Congress on February 19. *JCC*, 13:212.

John Fell's Diary

Wednesday Feby. 3d. [1779]

Commercial Committee. Congress. After, agreeing to Count Polaskey & Coll Armand Cores of Infantry to [*be*] recruted,[1] Went in to Committee of the whole House. Resolved that 500,160 Dollars[2] in Certificates be Prepaird for Exchanging the Emissions to be call'd in, debates lasted till 5 P M. 6 P M Committee on foreign affairs.

MS (DLC).

[1] No decision regarding the recruitment of Pulaski's and Armand's corps is mentioned in the journals for February 3, although on the following day Congress directed Washington "to give the necessary orders for recruiting the corps . . . to their full complement." *JCC*, 13:143.

[2] This figure should be $5,000,160. *JCC*, 13:139.

Foreign Affairs Inquiry Committee Minutes

Feby 3 1779

Present Whipple, Ellery, Fell, Searle, McKeen, Paca, Langworthy.

Paris May 26th. 1777 from B.F. & S.D.[1]

Nants June 1st 1777 from J. Williams to Committee.

Dunkirk 2d June 1777 from B.F. & SD to Jon. Jay.

Nants June 7th 1777 from Jona Williams to Committee

Berlin June 11th 1777 from A.L.[2]

Paris June 25 and 6th July from Mr. Carmichael to Mr. Bingham at Martinico.

Nants 30th June 1777 }
Nants 3d July 1777 } from Tardiveau

Nants 20th July 1777 from J Williams to R Morris

⟨*Nants*⟩ supposed date Sepr from P Penet to J Hancock

Passy Sepr. 8th 1777 supposed from B.F. & S.D., complain of not having remittance 5000 hhd. Tobacco, recevd 1,000,000 Livre. Spain continues to send the Supplies she promised. Live at great expence.

Paris Sepr 10th 1777 from S.D. to Committe from Mr Fransy.

Paris Octor 6th 1777 from A.L. Gardoque applies for pay for the good shipt by him but assurance from the court that no such is expected—but in future remittances of produce is expected through the house of Gardoque

Some facts relative demands of the same kind from Hortelles—a year & half ago &ca H——s in London.

Paris 6th Octo 1777. Hortelles assures that their services are not to be paid for, the Minister confirmed this repeatedly.

Passy Octo 7th 1777. Receivd the last payment of the 2,000,000. But we entreat that the greatest care may be taken that no part of it may transpire nor of the assurances we have received that no repayment will be required of us of what has already been given us.[3]

Paris Decr. 8th 1777 A. Lee, P.S. 19th.

Paris 18th Decr. 1777 R. Izard made an acquaintance with the Tuscan Minister.

Paris 18th Decr. Wm. Lee to Chas Thompson.

Passy Decr. 18 1777 B.F., S.D. & A.L. Treaty proposd, courier sent to Spain, assurd his Majesty will acknowledge our independence & support it—promise of additional of 3,000,000 Livers in Jany. Spain we are told will give an equal sum.

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Decr. 19 1777 A. Lee.

Paris Jany 2d 1778 Wm. Lee to Chas. Thompson.

Paris Jany 5th 1778 A. Lee to Committee.

Paris 22d Jany 1778 Wm. Lee to J. Hancock Esqr.

Paris 7th Feby 1778 W. Lee.

Paris 10th Feby 1778 A. Lee. Accot of what has been sent from the House of Gardoque by order of the Spanish Court & what by my order to be paid out of a fund remitted from Spain of 170,000 Liv. had nothing to do with Commercial matters in France but signing contracts made by Mr. D you will be able to judge after, whether it is wise to unite Political & Commercial matters.[4]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] This letter from Benjamin Franklin and Silas Deane read by the committee this day and most of those following are in Wharton, *Diplomatic Correspondence*, 2:325–492, passim. The letters of June 1 and 7 and July 20, 1777, by Jonathan Williams are in PCC, item 90, fols. 565-66, 569, 579-80; that of Pierre Penet to John Hancock dated Sept. [?] 1777, is in PCC, item 78, 18:155-56. There are two letters of December 19, 1777, by Arthur Lee in PCC, item 83, 2:45-46, 92. The letters of Barthelemi Tardiveau dated June 30 and July 3, 1777, have not been found.

[2] Arthur Lee.

[3] It seems probable that a page from Whipple's minutes of the committee's proceedings is missing at this point. This conjecture rests on information contained in a three-page document in the hand of Henry Laurens listing letters from Deane, Franklin, Ralph Izard, and Arthur and William Lee, dated from November 24, 1777, to February 10, 1778. Henry Laurens Papers, PHi. The second and third pages of the letters listed by Laurens simply parallel the remainder of Whipple's entry here. But the first page of Laurens' list records three letters not mentioned by Whipple: from William Lee to Charles Thomson of November 24, from Arthur Lee to the Committee for Foreign Affairs of November 27, and from the three commissioners to the committee of November 30, 1777. See Wharton, *Diplomatic Correspondence*, 2:426–27, 429–31, 433–36. For a similar Laurens' list of letters read by the committee, see Foreign Affairs Inquiry Committee Minutes, January 28, 1779, note 1.

[4] For the continuation of these proceedings, see the committee's minutes, February 5, 1779.

John Jay to John Beatty

Sir, Philadelphia. 3d February 1779.

You will receive herewith enclosed a Copy of an Act of Congress of the 23d Ulto. respecting your Department.[1]

I have the pleasure of acknowledging the Receipt of your Letter of the 19th Ulto. with the Enclosures.[2] It was referred to a Committee & whatever Resolutions Congress may enter into on the Subject, shall be immediately transmitted to You.[3]

I am Sir, your most Obedt. & Hble Servant, J.J.

LB (DNA: PCC, item 14).

[1] For this resolve to improve the administration of the commissary of prisoners' department, see Jay to Washington, January 30, 1779, note 1.

[2] Beatty's January 19 letter to Jay is in PCC, item 78, 3:265-68.

[3] Beatty's letter had been referred to the Committee of Conference, which immediately referred it to Washington. One of the subjects of concern to Beatty, an announcement from the British commissary of prisoners that he was recalling several American officers for breach of parole, had been acted on by Congress on January 28. And that resolve, directing Washington to deal similarly with British officers on parole, was transmitted to Beatty by Washington rather than by Jay. A petition from some of the officers concerned soon led Congress to a fresh examination of prospects for a prisoner-of-war exchange, and on March 5 the delegates empowered Washington, "at his discretion," to appoint commissioners to negotiate "a cartel or agreement for a general exchange of prisoners" that would be "final and conclusive" upon his approval. See *JCC*, 13:104, 122, 191, 279–80; and Washington, *Writings* (Fitzpatrick), 14:53, 69, 238–39.

John Jay to the Chevalier de Cambray

Sir, Philadelphia 3d Feby. 1779

The enclosed paper contains an Extract from an Act of Congress of the 2nd Inst. directing the transportation of the military Stores mentioned in it to South-Carolina, and directing You "to repair to Baltimore and Edenton and to expedite the transportation."[1]

You will receive herewith Letters to the Governors of Maryland and North Carolina who will, I am persuaded, readily afford You all necessary advice and Assistance.[2]

The Board of war will give You such particular & further Instructions on the Subject as may be requisite. With the best wishes that you may reap as much honor, as you will experience fatigue in the course of our Southern Operations, I am Sir, Your most Obedt. & Hble Servant,

J.J.

LB (DNA: PCC, item 14).

[1] For the reassignment of Louis-Antoine-Jean-Baptiste, chevalier de Cambray-Digny to South Carolina, see *JCC*, 13:133; and Henry Laurens to Cambray, October 18, 1778, note 2. Jay also sent a copy of this act to Washington this day. PCC, item 14, fol. 41.

[2] This day Jay also wrote the following brief letter to both Gov. Thomas Johnson and Gov. Richard Caswell. "I have the pleasure of transmitting to You a Copy of an Act of Congress of the 2nd Inst, from which your Excellency will among other things perceive that the Bearer Coll. DeCambray is charged with the transportation of a quantity of military Stores to South-Carolina. Be pleased, Sir, to afford him such advice & assistance as that Service may require." PCC, item 14, fol. 42. Governor Johnson's February 20 letter to Jay acknowledging receipt of this letter and reporting that no arms were to be had in Maryland for Cambray's undertaking is in PCC, item 70, fol. 313.

New York Delegates to George Clinton

Sir Philad. 3d February 1779.

Major General Arnold has it in Contemplation to establish a Settlement of Officers and Soldiers who have served with him in the present War, and to lay the necessary Foundation without Loss of Time. From a

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Desire to become a Citizen of New York he gives our State the Preference and now visits your Excellency to make the Necessary Enquiries, it being out of our Power to give him any Information. The Necessity of strengthning our Frontiers is as obvious, as the Policy of drawing the Attention of the People to that Quarter in Season. Virginia we learn has taken the Lead and already passed Laws for laying out a District of Country for Settlement, & assigning Farms for their own Soldiers, as well as those of Maryland, Delaware, and New Jersey. A Strong Predilection, however, prevails in favour of our State, on Account of its' Situation for Trade, the acknowledgd Excellency of its' Constitution, and the steady and vigorous Exertions of its' Government; Nothing, we are persuaded, will be wanting for its rapid Settlement and Cultivation but a wise and liberal System for the Distribution of the publick Land.

To you, Sir, or to our State, General Arnold can require no Recommendation. A Series of distinguished Services entitle him to Respect and Favour.[1]

To him, We beg leave to refer your Excellency for the Intelligence from the Southward and from the West Indies; from Europe we have none.

We have the Honour to be with the highest Respect, Sir, your Excellency's most obedient humble Servants, Wm. Floyd John Jay

Fra. Lewis Jas Duane

RC (MH-H: Sparks Manuscripts). Written by Duane, and signed by Duane, Floyd, Jay, and Lewis.

[1] Although Benedict Arnold left Philadelphia early in February for New York, he turned back at Middlebrook, N.J., in order to return to Philadelphia to defend himself against charges brought by the Pennsylvania Council. He apparently never renewed this quest for land in New York. See Gouverneur Morris to George Clinton, January 26, 1779, note 2.

Daniel Roberdeau to Joseph Reed

Sir, Philada, Feb'y 3d, 1779.

The Delegates of this State in Congress have just received your Excellencys favour of this date,[1] and I am desired by them to inform the Honorable the Council, through you, that they have not the least reason to think the Military command in this City was changed before General Arnold left it, as no other measures have been taken of their complaint than mentioned in yr Excellency's Letter, as the Committee on the Business have not yet reported. In behalf of my Colleagues, I am, most respectfully, yr Excellencys most obt & very humb. Servt,

Daniel Roberdeau.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:181.

[1] No letter from President Reed to the Pennsylvania delegates of this date has been found, but for what appears to be a similar request for information, directed to the chairman of the committee appointed to study Pennsylvania's charges against Gen. Benedict Arnold, see William Paca to Joseph Reed, February 18, 1779, note 2.

William Henry Drayton to Benjamin Lincoln

Sir Phil. Feb. 4, 1779.

Lieut Colonel de Cambray will have the honor to deliver this to you. And as he enables me to pay my compliments to you, it is with pleasure I make use of the opportunity to recommend him to your Notice. He is a Gentleman, & bears the reputation of a good officer.[1]

While I am sensible of the difficulties you have encountered in making head against the Enemy & am concerned at the trouble this has occasioned to you, I am happy in having the most perfect confidence in your abilities to exert the force you have collected to the best advantage. Arms, ammunition, money & Pulaski with his Legion are sent on to give you farther strength, & the States of N. Carolina & Virginia are called upon in the most pressing terms to aid you. By the Blessing of God, I trust you will relieve the Public & add to your high reputation.

I am with respect Sir, Your most obedt Sert

Wm. Hy. Drayton

RC (MeHi: Fogg Collection).

[1] See also Henry Laurens to Lincoln, February 5, 1779.

John Fell's Diary

Thursday, Feby 4th. [1779]

Commercial Committee. Watkins Commissary of Purchases with his Resignation Referrd to the Board of Warr.

Resolved that the Commander in Chief arrange the Relative Rank of Officers, under the degree of Brigad Generals.(committed to the Board of Warr). Letter from Mr Bingham at Martinico, giving an Account of the British taking the Island of St Lucia and of Count DeEstangs repulse, in endeavoring to retake it.[1] 6 P.M. Committee on foreign affairs.

MS (DLC).

[1] Congress actually received letters of December 5, 20, 25, and 31, 1778, and January 6, 1779, from William Bingham, which were read on February 4 and 6 and referred to a committee on the sixth. The news of the French defeat at St. Lucia reported by Bingham led Congress to forego asking d'Estaing for naval aid in the southern war theater for fear France would seek recompense under the terms of article four of the Franco-American treaty of alliance. See *JCC*, 13:147, 150, 153; and John Jay to Conrad Alexandre Gérard, February 5, 1779, note.

Henry Laurens to Rawlins Lowndes

Dear Sir 4th February [1779]

Since I closed my Letter of the 31st Ulto. which will accompany this, I have been honored with Your Excellency's despatch under the 15 Ulto

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which I delivered with one from Governor Houstoun of the 2d to Congress.[1]

Inclosed Your Excellency will find an Act of Congress of the 2d Instant for affording succour to South Carolina and Georgia. I shall exert myself for carrying into execution every Article without delay. I am now told the 125 Chests of Arms at Baltimore are dwindled into 125 Arms, "the manner in which business is transacted here."[2]

Colonel de Cambray has discovered a laudable activity, had he not been detained for his Despatches, he would have begun his journey Yesterday, they are not yet ready, he hopes to get away early tomorrow.

Under the Article for sending one or more Engineers, I expect to obtain Colonel Lemoy,[3] who I am told is very skilful and well acquainted with Carolina. I mean to proceed homeward some day in the present month and hope to have the honor of assuring Your Excellency in Person about the middle of the next,[4] that I am with the highest regard and esteem. Sir, Your Most Obedient & Most Humble Servant, H.L.

Tr (ScHi: Laurens Papers, no. 16).

[1] The letters to Congress from Rawlins Lowndes of January 15 and from John Houstoun of January 2, which were read in Congress on February 5, are in PCC, item 72, fols. 477–80, and item 73, fols. 236–39, respectively. *JCC*, 13:149.

[2] This quotation is from the last line of Laurens' Speech to Congress, December 9, 1778.

[3] For information on the chevalier de Laumoy, see Laurens to Lowndes, February 12, 1779.

[4] Laurens did not actually return to South Carolina until November, although he did obtain leave of absence from Congress this day and made a brief trip into New Jersey later in February. See *JCC*, 13:144; and Laurens to Washington, March 2, 1779, note 1.

John Fell's Diary

Fryday. Feby 5th. [1779]

Commercial Committee 9 O Clock. Congress Letter from Count Polaska, referrd to the Board of Warr, Do from Coll Armand, that as he cannot be Promoted, he desires to go to France. Granted.[1] Letter from the Marquis Fayatt he Saild from Boston the 14 Jany in the Alliance and his dispatches did not get there till the 15th. Committee appointed to write to the Marquis to acquaint him the Expidition to Canada was set aside.[2] Letter from Governor Hueston at Georgia, and President Lounds at So Carolina, Jany 15. Long debate about the manner of wording the request to the French Minister for the Aid of Count DeEstang for the Relief of Georgia.[3] 6 P M. Committee on foreign Affairs.

MS (DLC).

[1] See John Jay to the marquis de La Rouerie, this day.

[2] For Lafayette's January 9 letter read this day in Congress, see Lafayette, *Papers* (Idzerda), 2:220–21; and *JCC*, 13:148–49. No letter from this committee, which consisted of John Collins, James Lovell, and William Whipple, has been found, but see Committee for Foreign Affairs to Benjamin Franklin, February 8, 1779.

[3] For Congress' decision on the request for French aid, see Fell's Diary, February 4, 1779, note.

Foreign Affairs Inquiry Committee Minutes

Feby 5th 1779.

Present Whipple, Ellery, Elsworth, Fell, Searle, Burke, Laurens, McKeen.

Paris 15th Feby. 1778 from A Lee with a certificate from Mr. Lauragais viz.[1] I was Present in the Chamber of Mr. Lee in the Temple London sometime in the spring 1776 when Mr Beaumarchais made offers to Mr. Lee to send supplies of money & stores through the French Islands to the Americans to the amount of two Hundred thousand Louis D'ors which he was authorized to make those proposals by the French Court. Ministers often gave assurance we are not to pay for those stores &c—yet Mr. Bomarchais persists in his demands, he aleges some promise or agreement made with Mr Deane—Dr. F. & myself kept in the Dark.

Passy Feby 16 1778 from B.F. &c to the Committee with the Treaty, received part of 3,000,000 Livre, very pressing for Tobacco particularly the 5,000 hhds for the Farmers Genl.

We hear Mr. Beaumarchais has sent over a person to demand a great sum of you on accot of Armes, amunicion &c—we think it will be best to leave that demand to be settled by us here as there is a mixture of public & private concern which you cannot so well develope.

Passy Feby 28th 1778 from B.F., S.D. & A.L.[2] have been obliged to keep the aid a secret & must continue secret till a publication of the Treaties.

Paris Feby. 28th 1778 from A.L. informd that the 3,000,000 before mentioned will be paid here in quarterly payments the Spanish not particularly instructed on the subject.

1/2 mill[ion] sent to America to pave the way for a reception of the proposals the Minister of Fr assured by the British Court that a Majority of Congress are secur'd.

Paris 28th Feby 1778 from W.L.[3] to the President of Congress; card from Mr. Deane.

Paris 23d March 1778 from W.L. to President Laurens set off to morrow for Germany.[4]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] This and the following letters examined by the committee this day are printed in Wharton, *Diplomatic Correspondence*, 2:494–97, 507–12, 517–18.

[2] Benjamin Franklin, Silas Deane, and Arthur Lee.

[3] William Lee.

[4] For the continuation of these proceedings, see the committee's minutes, February 8, 1779.

John Jay to Conrad Alexandre Gérard

Friday Feby. 5 [1779]

The President of Congress presents his Compliments to the Minister of France, & begs to be informed, when it will be most convenient for him to

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receive a Committee of Congress appointed to confer with him on the Subject of the enclosed Resolution.[1]

LB (DNA: PCC, item 14).

[1] This day Congress resolved that a committee of two be appointed to confer with Gérard, "together with the President, . . . and prepare proper dispatches and instructions, to be sent by the Marquis de Bretigny to the Count d'Estaing." Gouverneur Morris and Henry Laurens were thereupon appointed to join Jay for the task. *JCC*, 13:149. For the difficulties Congress had experienced in attempting to decide how they should apply to d'Estaing for aid for the defense of Georgia and South Carolina, see Committee of Congress to John Jay, January 25; Committee of Congress Proposed Letter to Gérard, January 29; and John Fell's Diary, February 4, 1779.

Apparently convinced that Gérard would not relent in his determination that France would be entitled to compensation under article four of the Franco-American treaty of alliance if such aid were provided, and that the recent capture of St. Lucia by the British made it unlikely that d'Estaing could provide effective aid in the foreseeable future, the delegates abruptly decided to drop their demand. For the report of Morris and Laurens on February 8, and Congress' resolution "That it will not be expedient to make the proposed application for aid to Count d'Estaing," see *JCC*, 13:152-53.

John Jay to the Marquis de La Rouerie

Sir, Philadelphia 5th Feby 1779

The Memorial, You delivered to me this morning, has been communicated to Congress, who thereupon came to a Resolution of which the enclosed is a Copy.[1]

It gives me pleasure to signify to You by this Resolution, the high Sense they entertain of your disinterested Zeal & Services, and I sincerely wish a compliance with your Request in a former memorial had been compatible with our circumstances and the present Arrangement of the Army.[2]

I am Sir, Your most Obedt & most Hble Servt. J. Jay

LB (DNA: PCC, item 14).

[1] For Congress' resolve approving the request of Charles Armand-Tuffin, marquis de La Rouerie, for leave to return to France, see *JCC*, 13:148.

[2] Colonel Armand had been maneuvering to obtain a promotion as well as permission to recruit his independent corps to its full complement. Although Congress endorsed the latter request on February 4, it disapproved his promotion to brigadier general, and accordingly he had immediately petitioned for leave to return home. He was apparently surprised that Congress granted his request for he quickly reversed his field and decided to remain in Continental service. A few days later Congress adopted a number of resolves for implementing his request to recruit his corps to its "original establishment." See *JCC*, 13:143-44, 179-81; PCC, item 164, fols. 378-402, 520-25; and Committee of Conference to Washington, January 28, 1779.

John Jay to George Washington

Sir, Philadelphia 5th Feby. 1779.

Your Excellency will receive herewith enclosed Copies of two Acts of Congress of Yesterday—The one for recruiting Count Pulaski, & Coll.

Armand's Corps to their full Complement of Infantry—The other for completing the Arrangement of the Army, & settling the relative Rank of Officers under the Degree of Brigadier.[1]

I have the Honor to be Sir, Your Excellency's most Obed. & Hble Servt. John Jay. President

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] For these resolves, see *JCC*, 13:143.

This day Jay also wrote the following brief letter to Lt. Michel-Gabriel Houdin of the 15th Massachusetts Regiment, enclosing a cryptic resolve stating merely that he would "receive promotion according to the rules established in the army of the United States." "The Marquis De la Fayette having in a Letter of the 8th Jany. last mentioned you to Congress for Promotion, they thereupon passed a Resolution of which the enclosed is a Copy." See *JCC*, 13:148; and PCC, item 14, fol. 45.

Henry Laurens to Benjamin Lincoln

Dear Sir, Philadelphia 5th February 1779.

I have regularly delivered your several favors directed to me as President of Congress to my successor Mr. Jay from whom you have, no doubt, received the necessary acknowledgements.[1]

Monsr. Lieutt. Colo. du Cambray who in the Character of Engineer is ordered by Congress to put himself under your direction will do me the honor to deliver this;[2] Monsr. Cambray was strongly recommended to me by Marquis delafayette, he has deported himself in all respects as a Gentleman & I flatter myself he will afford you satisfaction in the execution of your orders. This Gentleman will take with him all the late Newspapers from whence you will collect the current intelligence foreign & domestic. I lament exceedingly the deficiency of Arms & military Stores which I now hear complained of in Charles Town, I had been taught to believe quite the contrary & under that deception, if I remember right, I was so unfortunate as to misinform you. Our people must certainly have lent out too many of their public Stores for privateering service, or have suffered in some other way great misapplications. Monsr. du Cambray I am in hopes will in some degree be able to remedy this alarming evil by forwarding Muskets, Powder & Ball from Maryland & Edenton.[3]

I sincerely pray for your success & have the honor to be with great regard & Esteem, Sir, Your Obedient & most humble servant,

Henry Laurens

RC (CtY: Benjamin Franklin Papers).

[1] For letters from Lincoln recently received by Congress, dated December 31, 1778, and "Jany th 1779," see *JCC*, 13:93, 123; and PCC, item 158, 1:181–88. The latter is endorsed by Charles Thomson "Jany 6. 1779" and is entered as such in the journals, but it is dated January 4 in Lincoln's letterbook, Lincoln Papers, MHi. For Lincoln's December 26 letter to Laurens, which is not in PCC but was read in Congress on January 25, see Lincoln's letterbook and *JCC*, 13:113.

[2] See John Jay to the chevalier de Cambray, February 3, 1779.

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[3] The next day the Board of War sent Lincoln the following additional instruction, concerning Casimir Pulaski, which was signed by Timothy Pickering "By order of the board."

"By a late resolution of Congress General Pulaski is ordered to the Southern department with his Legion.

"We would request that the General and his Corps may be so employed, that he will not be subject to the direction of any officer inferior in rank to the Commander in Chief of the department. This will be extremely satisfactory to the Count, and we conceive it to be the spirit and meaning of the resolution of Congress [*JCC*, 13:132]." Burnett, *Letters*, 4:58–59; and Gunther Collection, ICHi.

Marine Committee to the Eastern Navy Board

Gentlemen February 5th 1779

In our Letter to you of the 26th Ultimo, we enclosed you two warrants of Congress vizt.

One on the Loan Office of Connecticut for	100,000 Drs.
the other on James Warren Esqr.	576.
	100,576
We now send you by the bearer hereof Joseph Millett an Express as per his receipt enclosed	50,000
Which makes in All	150,576 Dollars

granted by Congress for the use of your Board in Warrants dated the 16th ultimo.[1] We request you will Acknowledge the receipt of the warrants and the Money mentioned above also of 150,000 Dollars sent you in November last.

We are Gentlemen, Your Hble Servants

P.S. We wrote you some time ago for a List of the Commissioned Officers in your Department with the dates of their Commissions, Pray send the same forward by the first Opportunity.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] See *JCC*, 13:72–73.

Samuel Adams to John Winthrop

My Dear Sir Philade Feb 6 1779

I have receivd your favor of the 21st of January.[1] Every Body sees that the Depreciation of the Paper Currency is owing to the Floods of it which have been necessarily issued. In Addition to which a great Quantity, more especially of the Emissions of 20 May 1777 & 11 April 1778 has been counterfeited. This last Consideration was a sufficient Inducement to the calling out of Circulation all the Bills of those Emissions as speedily as possible. The lessening the Quantity in Circulation is the only Means of restoring the Value & Credit of the Remainder. It would therefore be a happy Event if every possessor of them would receive Loan office Certificates for them instead of new Bill in June next but this cannot be expected. In proportion as this may be done the only effectual Means, besides that of taxing which I hope will be chearfully submitted to by the People, of remedying the great Evil will have its effect. Congress have not cried down those Emissions, as the Expression is, or resolvd that the Bill should sink in the Hands of those who would not exchange them for Loan Office Certificates, as has been done in the Eastern States. This might have been to[o] harsh a Remedy. They have left it in the Option of the Possessors to receive either such Certificates or new Bills. This is the obvious Intention of their Resolutions on the Subject. The Wish of every discerning honest Man must be as obvious, viz that as many of the Bills may sink in the Loan offices as the People can possibly spare, and as soon as possible. I think therefore you have judgd right of their Views. It would be an Act of Charity and a great Service to the publick if those who can afford to put their Money to Interest would ease their poorer fellow Citizens who are possessed of those Bills, by exchanging them for other Bills without a Discount. I am &c

FC (NN: Adams Papers).

[1] Winthrop's January 21 letter to Adams is not in the Samuel Adams Papers, NN.

John Fell's Diary

Saturday Feby 6. [1779]

Commercial Committee 9 oClock. Long debates about the manner of sending for Count DeEstang. Congress agreed to Dine at the City Tavern being the Aniversary of the French Alliance.[1]

MS (DLC).

[1] The dinner to celebrate the French alliance was also the subject of Samuel Holten's diary entry for this day: "Saturday. Being the anniversary of the alliance with france, Congress dined at the city tavern & the minister of france, & several other Gent. of distinction dined with us." MDaAr.

On February 9 John Dunlap printed the following account of this celebration dinner in the *Pennsylvania Packet*.

"Last Saturday being the anniversary of forming the Alliance between France and the United States, the Honorable the Congress gave a public entertainment to his Excellency the Minister Plenipotentiary of his Most Christian Majesty, at which the following Toasts were drank, under a discharge of cannon:

1. May the Alliance between France and the United States be perpetual.
2. The United States.
3. His Most Christian Majesty.
4. The Queen of France.
5. His Most Catholic Majesty.
6. The Princes of the House of Bourbon.

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7. Success to the allied arms.
8. General Washington and the Army.
9. The friends of liberty in every part of the world.
10. May the new Constellation rise to the Zenith.
11. May the American *Stripes* bring Great-Britain to reason.
12. The memory of the Patriots who have nobly fallen in defence of the liberty and independence of America.
13. A safe and honorable peace.

"The chearfulness which existed in the company upon the happy occasion of their being assembled, was not to be exceeded; and a thousand brilliances alluding to the Alliance were uttered. There can be no doubt but that every true American and every true Frenchman will contribute his efforts to preserve that connection which is formed by the Alliance, and which is so necessary to the happiness and aggrandizement of both nations. Their mutual interests dictate such a conduct in the strongest and most affectionate terms. The principles of the Alliance are founded in true policy and equal justice; and it is highly probable that mankind will have cause to rejoice in this union which has taken place between two nations; the one, the most puissant in the old, and the other the most powerful in the new world."

Daniel Roberdeau to Timothy Matlack

Dr Sir, Saturday, 6th February, 1779.

Have you remembered to present the President of Congress with the hand Bill?[1] the one directed to the Delegates of N. York was delivered to another Member of that State, from the hint you gave of yr Intention to furnish the President. This to remind you we pray excuse. Yrs,

D. Roberdeau

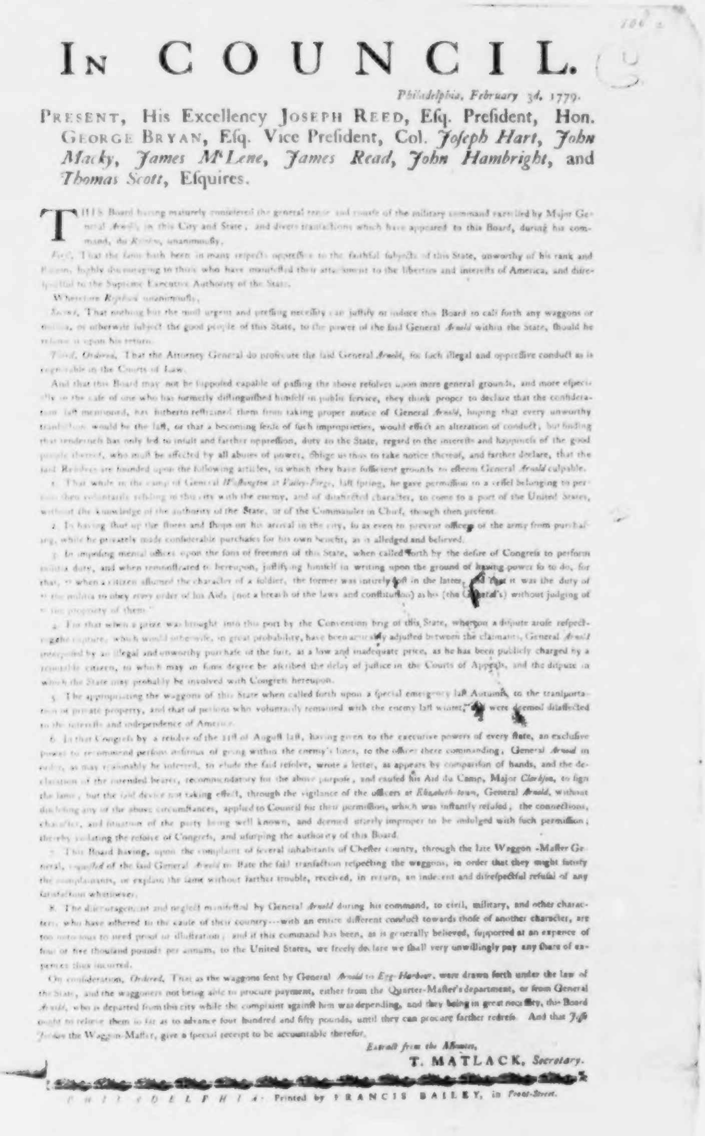
MS not found; reprinted from *Pa. Archives*, 1st ser. 7:184.

[1] This "hand Bill" contained eight charges the Pennsylvania Council had marshaled against Gen. Benedict Arnold, for which see illustration, a reproduction of item no. 16,439, Evans, *Am. Bibliography*. These officials had opened their assault on Arnold with the single charge that he had used public wagons for transporting privately owned goods from which he profited, but they quickly expanded their attack, adding seven charges to the original complaint lodged with Congress on January 25 and ordering them printed and circulated to the states. To give even wider publicity to Arnold's offenses, they also ordered, on February 8, "That the Resolves of this Council of the 3d instant, respecting Gen'l Arnold, be published in the several Newspapers of this City." See *Pennsylvania Packet*, February 9, 1779; *Pa. Council Minutes*, 11:690, 692; *Pa. Archives*, 1st ser. 7:183-84; John Jay to Joseph Reed, January 27; and William Paca to Joseph Reed, March 3, 1779.

Virginia Delegates to Joseph Reed

Sir, Philadelphia, Feb. 6th, 1779.

The underwritten, Delegates in Congress for the State of Virginia, pursuant to their Instructions, inclose you herein the Resolves of the Gen'l



IN COUNCIL.

Philadelphia, February 3d, 1779.

PRESENT, His Excellency JOSEPH REED, Eſq. Preſident, Hon. GEORGE BRYAN, Eſq. Vice Preſident, Col. *Joſeph Hart*, *John Macky*, *James M'Lene*, *James Read*, *John Hambright*, and *Thomas Scott*, Eſquires.

THIS Board having maturely conſidered the general tenor and courſe of the military command exerciſed by Major General *Arnold*, in this City and State, and divers tranſactions which have appeared to this Board, during his command, do *Reſolve*, unanimouſly,

Firſt, That the ſame hath been in many reſpects oppreſſive to the faithful ſubjects of this State, unworthy of his rank and ſtation, highly diſcouraging to thoſe who have manifeſted their attachment to the liberties and intereſts of America, and diſreſpectful to the Supreme Executive Authority of the State.

Wherefore *Reſolved* unanimouſly,

Second, That nothing but the moſt urgent and preſſing neceſſity can juſtify or induce this Board to call forth any waggons or militia, or otherwiſe ſubject the good people of this State, to the power of the ſaid General *Arnold* within the State, ſhould he reſume it upon his return.

Third, *Ordered*, That the Attorney General do proſecute the ſaid General *Arnold*, for ſuch illegal and oppreſſive conduct as is cognizable in the Courts of Law.

And that this Board may not be ſuppoſed capable of paſſing the above reſolves upon mere general grounds, and more eſpecially in the caſe of one who has formerly diſtinguiſhed himſelf in public ſervice, they think proper to declare that the conſideration laſt mentioned, has hitherto reſtrained them from taking proper notice of General *Arnold*, hoping that every unworthy tranſaction would be the laſt, or that a becoming ſenſe of ſuch improprieties, would effect an alteration of conduct; but finding that tenderneſs has only led to inſult and farther oppreſſion, duty to the State, regard to the intereſts and happineſs of the good people thereof, who muſt be affected by all abuſes of power, oblige us thus to take notice thereof, and farther declare, that the ſaid Reſolves are founded upon the following articles, in which they have ſufficient grounds to eſteem General *Arnold* culpable.

1. That while in the camp of General *Waſhington* at *Valley-Forge*, laſt ſpring, he gave permiſſion to a veſſel belonging to perſons then voluntarily reſiding in this city with the enemy, and of diſaffected character, to come to a port of the United States, without the knowledge of the authority of the State, or of the Commander in Chief, though then preſent.

2. In having ſhut up the ſtores and ſhops on his arrival in the city, ſo as even to prevent officers of the army from purchaſing, while he privately made conſiderable purchaſes for his own benefit, as is alledged and believed.

3. In impoſing menial offices upon the ſons of freemen of this State, when called forth by the deſire of Congreſs to perform militia duty, and when remonſtrated to hereupon, juſtifying himſelf in writing upon the ground of having power ſo to do, for that, "when a citizen aſſumed the character of a ſoldier, the former was intirely loſt in the latter, and that it was the duty of the militia to obey every order of his Aids (not a breach of the laws and conſtitution) as his (the General's) without judging of the propriety of them."

4. For that when a prize was brought into this port by the Convention brig of this State, whereupon a diſpute aroſe reſpecting the capture, which would otherwiſe, in great probability, have been amicably adjuſted between the claimants, General *Arnold* interpoſed by an illegal and unworthy purchaſe of the ſuit, at a low and inadequate price, as he has been publicly charged by a reputable citizen, to which may in ſome degree be aſcribed the delay of juſtice in the Courts of Appeals, and the diſpute in which the State may probably be involved with Congreſs hereupon.

5. The appropriating the waggons of this State when called forth upon a ſpecial emergency laſt Autumn, to the tranſportation of private property, and that of perſons who voluntarily remained with the enemy laſt winter, and were deemed diſaffected to the intereſts and independence of America.

6. In that Congreſs by a reſolve of the 21ſt of Auguſt laſt, having given to the executive powers of every ſtate, an excluſive power to recommend perſons deſirous of going within the enemy's lines, to the officer there commanding; General *Arnold* in order, as may reaſonably be inferred, to elude the ſaid reſolve, wrote a letter, as appears by compariſon of hands, and the declaration of the intended bearer, recommendatory for the above purpoſe, and cauſed his Aid du Camp, Major *Clarkſon*, to ſign the ſame; but the ſaid device not taking effect, through the vigilance of the officers at *Elizabeth-town*, General *Arnold*, without diſcloſing any of the above circumſtances, applied to Council for their permiſſion, which was inſtantly refuſed; the connections, character, and ſituation of the party being well known, and deemed utterly improper to be indulged with ſuch permiſſion; thereby violating the reſolve of Congreſs, and uſurping the authority of this Board.

7. This Board having, upon the complaint of ſeveral inhabitants of Cheſter county, through the late Waggon-Maſter General, *requeſted* of the ſaid General *Arnold* to ſtate the ſaid tranſaction reſpecting the waggons, in order that they might ſatisfy the complainants, or explain the ſame without farther trouble, received, in return, an indecent and diſreſpectful refuſal of any ſatisfaction whatſoever.

8. The diſcouragement and neglect manifeſted by General *Arnold* during his command, to civil, military, and other characters, who have adhered to the cauſe of their country---with an entire different conduct towards thoſe of another character, are too notorious to need proof or illuſtration; and if this command has been, as is generally believed, ſupported at an expence of four or five thouſand pounds per annum, to the United States, we freely declare we ſhall very unwillingly pay any ſhare of expences thus incurred.

On conſideration, *Ordered*, That as the waggons ſent by General *Arnold* to *Egg-Harbour*, were drawn forth under the law of the State, and the waggoners not being able to procure payment, either from the Quarter-Maſter's department, or from General *Arnold*, who is departed from this city while the complaint againſt him was depending, and they being in great neceſſity, this Board ought to relieve them ſo far as to advance four hundred and fifty pounds, until they can procure farther redreſs. And that *Jeſſe Jordan* the Waggon-Maſter, give a ſpecial receipt to be accountable therefor.

Extract from the Minutes,
T. MATLACK, *Secretary.*

PHILADELPHIA: Printed by FRANCIS BAILEY, in *Front-Street.*

Pennsylvania's Charges against Gen. Benedict Arnold
February 3, 1779

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Assembly of that State, which they request you to lay before the Legislature of this State.[1]

We are very respectfully, Sir, Your most obedt Servt,

Tho's Adams

Meriwether Smith

Cyrus Griffin

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:184–85.

[1] As requested, Reed transmitted the Virginia delegates' enclosure to the Pennsylvania Assembly in a letter of February 9. Ibid., p. 189. The enclosure was undoubtedly a resolve of the Virginia House of Delegates of December 12, which declared that "as the confusion, from the doubtful jurisdiction in the county adjacent to the disputed territory, may produce the most dangerous consequences to the common cause of America; . . . the Virginia delegates in Congress, be empowered and instructed to propose to the Commonwealth of Pennsylvania, to appoint commissioners on their part, to meet commissioners to be appointed by the Assembly of this Commonwealth, . . . to fix on the true and proper boundaries between the said States." *Journal of the House of Delegates of the Commonwealth of Virginia, 1777–81* (Richmond, 1827), October-December 1778, p. 112. For additional information on this issue, see Meriwether Smith to Patrick Henry, November 4, 1778, note 1; and *Pa. Council Minutes*, 11:669.

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia 7th Feby 1779

I thank you for the information contained in Your favor of 24th Decr. last which is the last letter I have received from you.[1] Col. Beadle's Regiment is dismiss'd.[2] I need not inform you of the difficulty of procuring a just enquiry into the conduct of an Officer at a distance from the Army, this I suppose occasion'd the act of Congress impowering the executive authority of the several States for that purpose.[3] I wish it was done by N.H. in this instance, I have no doubt there has been great abuses commited in that country, & I know of no power so competent to investigate the true state of matters there as the executive authority of the State.

The plan of finance has reached you I suppose some time ago, You'll observe the Quota of N.H. is not so high in proportion as last Year. I procured this abatement not because I thought the sum more than the state would be able to raise but because You might be more at liberty to act Your discretion, however I hope you will raise a much larger sum, as you will be allowed interest for all you raise above Your just proportion, & there can be no better time to collect money than when it is plenty. I hope some other method will be divised to help our Currency, what is already done can be nothing more than mere palliatives.

The transactions relative to the British Commission &c are not yet finished. I shall do myself the pleasure of sending them to you as soon as they come from the press.[4] I have inquired of the Jersey Gentn respecting the man you mention, and they know of no such person.[5] I think it very probable he is an imposture and ought at least to be well watched. The speech of the Foolish Tyrant of Britain will shew that his mettle is much lowered, it must be very humiliating to ask the Mediation of Spain & meet with a refusal.

It is reported, but not from so good authority as I cod wish, that Spain has a fleet of 44 sail of the line besides Frigates &c in Cadiz Bay, & are speedily to be join'd by 10 more from Ferool & Cathergena, if this shod be true they certainly are meditating some important stroke.

The success of the Enemy to the Southward will give them Spirits, they have got possession of Georgia & our Friends from Carolina are not free from apprehension that Charlestown is in danger, the People from N. Carolina & Virginia are marching to the assistance of their Neighbours with great spirit and I hope will frustrate their (the Enemies) designs.

John D——n[6] is chosen to represent Delaware in C—— but has not yet taken his seat, that State hath acceeded to the Confederacy. There now only remains Maryland who you know has seldom done any thing with a good Grace, She has always been a froward hussey. It is a misfortune that such differences shod take place between our Commissioners but it is not to be wondered at, that the watchfulness of A.L.[7] shod draw on him the enmity of those who are utter strangers to the feelings of Patriotism that influence that Gentns Conduct; however, I need not trouble you with my opinion of those Characters, you are well acquainted with them. I well remember your opinion of a certain Person[8] (now in this City) early in 76 before his departure from America, it wod have been fortunate for this Country if others had entertain'd the same opinion of him then that you did, but he was then, as he now is, supported by characters who will never suffer Martyrdom for the cause of Virtue.

Europe is now full of negotiations which it may be expected will reach America in the spring, when probably we may be entertained with a new set of proposals from Britain, tho' I can hardly think her vain enough to entertain even an Idea of any thing short of Independence, even that, in my judgment, ought not to satisfy us, unless she will quit all pretensions to Canada & Nova Scocia, as for the Floridas I think we may consent to divide that Country with Spain if she will furnish us with funds to sink our paper money. Whatever may be the result of negotiations we must prepare for another vigorous Campaign for which purpose I hope every exertion will be used to recruit the Army. New Hampshire I am confident will not be backward in this respect.

Please to present my Respects to all Friends in Your circle, I have been weekly expecting to be favoured with a line from some of them. Coll Peabody promised me he would write to me, & I did expect Dr Thompson & Genl Folsom wod have done me that Honour. You know the rule that You & I settled is that he that stays at home should commence the correspondence.[9]

I am very Sincerely Yours &c &c, W.W.

[*P.S.*] If I was accustmed to make apologies this scrawl wod need one.

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RC (NhD: Bartlett Papers).

[1] Bartlett's December 24, 1778, letter to Whipple is in Bartlett, *Papers* (Mevers), pp. 235-36.

[2] See Whipple to Bartlett, November 30, note 2, and December 14, 1778, note 2.

[3] Congress had authorized "the supreme executive powers of every State," on February 9, 1778, to investigate "the conduct and behaviour" of all civil and military continental officers in their state. *JCC,* 10:139-40.

[4] Whipple was probably referring to Gouverneur Morris' *Observations on the American Revolution* (Philadelphia: Styner and Cist, 1779), which was intended to explain the proceedings and posture of Congress toward the Carlisle Commissioners the previous year. Whipple had acquired a copy for Bartlett by the end of the month. See Whipple to Bartlett, February 28, 1779; and *JCC,* 15:1452.

[5] Bartlett had asked Whipple to inquire about "a Certain man who Calls his name Bradman and Says he Belonged to Shrewsbury in New Jersey and was taken by the Enemy & Carried to Hallifax." He went on to explain that Bradman had been "keeping a Singing School and travelling from one Town to another and by his Conduct has rendered himself Suspicious to some persons." Bartlett, *Papers* (Mevers), p. 233.

[6] That is, John Dickinson.

[7] Arthur Lee.

[8] That is, Silas Deane.

[9] Whipple also wrote the following letter this date to an unidentified correspondent.

"I have the pleasure of seeing now before me your very kind letters of the 18th Jany. [and will not] undertake to describe the sensations that your tenderness excite in my breast as your own feelings will form a much more perfect Idea of them than is in the power of my pen to communicate to you. I have now arrived at a time of life when I must expect to suffer the pains & sorrows incident to human nature. I often state the accot. & find that the perplexities & anxieties I suffer & am subject to, far overballances every personal injoyment, therefore am not desirous of existing one moment longer than I can be useful to society of which I have not a wish to be my own judge.

"I should take particular pleasure in gratifying you, if I could find any thing in "the reading way" worth your notice. A magazine for the last month made its appearance a few days ago, I sent for one Yesterday intending to forward it to you but find it such a miserable thing that it wod be an afront to the post office to convey it through that chanel. Shod any thing appear you may depend on a faithful compliance with your desire. Nothing affords me greater satisfaction than to hear of the wellfare of my friends, their kind wishes demand from me the most affectionate returns which I beg you wod communicate." Capt. J. G. M. Stone Collection, Annapolis, Md.

Committee for Foreign Affairs to Benjamin Franklin

Honble Sir, Philada. Feb 8th. 1779

The Marquis de la Fayette having sailed from Boston the day before the Arrival there of Letters sent from hence for you and him by the President of Congress,[1] I now forward to you duplicates of those Letters with a Course of News Papers Via St. Eustatia, having a very fine opportunity to that Island,[2] and hoping they will reach you securely from thence in a dutch Bottom.

I have the Honor to be Sir, Your Friend & humble Servant,

James Lovell[3]

RC (PPAmP: Franklin Papers). Tr (DNA: PCC, item 79).

[1] See John Fell's Diary, February 5, 1779, note 2.

[2] These packets for Benjamin Franklin were forwarded by Lovell through the Baltimore mercantile firm of Curson & Gouverneur, which was represented in St. Eustatius by Samuel Curson. See these *Letters*, 6:291–93. Lovell enclosed them in the following brief note to Curson & Gouverneur of February 10, 1779: "I intreat your care to forward these packets for Doctor Franklin by the first conveyance that offers, if to be trusted. They are important. You will use your own discretion about Sending them to Mr. Bingham. I wish them Soon in France." PCC, item 79, fol. 249.

[3] In the Tr the letter closes: "Signed James Lovell, for the Come. for F. Affairs."

William Henry Drayton to Charles Lee

Sir, Philadelphia, Feb. 8th, 1779.

At nine o'clock last night, I received yours of the fifth instant, in answer to mine of the third. But, as I have neither time or inclination to enter into a competition, whether Mr. Charles Lee, or Mr. William Henry Drayton, can raise the most ingenious supposition, say the keenest thing, and pen the most finished period with parenthesis; nor ambition to correspond with you in your simple character of Mr. Charles Lee, whom I cannot consider but as legally disgraced for being guilty of abominable military treason against a community of the most liberal, just, and generous, and, I must add, merciful people on the face of the globe: I say, perfectly satisfied with my simple character of Mr. William Henry Drayton, "a mere common member of Congress," and "a mere Chief Justice of South Carolina," I shall do myself the honour, out of breath as I am with parentheses, to make only one observation in reply, absolutely terminating the correspondence on my part, That I verily believe we equally remain entirely indifferent with respect to what either is "pleased to think or dream." And now, finally taking my leave of Mr. Charles Lee,[1] with common decency from respect to my simple character, I subscribe myself, Sir, Your most obedient Servant, Wm. Henry Drayton.

MS not found; reprinted from Charles Lee, *Anecdotes of the Late Charles Lee, Esq.*, ed. Edward Langworthy (London: J. S. Jordan, 1797), p. 53.

[1] Lee's March 15 reply to this letter is in *Anecdotes of the Late Charles Lee*, pp. 54–55.

John Fell's Diary

Monday. Feby 8th. [1779]

Commercial Comittee 9 oClock. Congress. A number of Letters Read; A Memorial from Lt Coll Varick in behalf of himself and the Officers in the Muster Masters department—Referrd to the Board of Warr. A Memorial from Dr Shippen in behalf of himself and the other Doctors, Re-

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ferrd to the Medical Committee. Long debates again about sending to Count DeEstang. &c. 6 P M. Committee on foreign Affairs.

MS (DLC).

Foreign Affairs Inquiry Committee Minutes

Feby 8th [1779]

Present Whipple, Ellery, Elsworth, Fell, Searle, Laurens, Langworthy.

Paris 10th Sept 1777 from Mr Hortalez & Compy.[1]

Paris Jany 16th 1778 from B.F. & S.D.[2] recommending Mr. Carmichal.

Paris Jany 6th 1778 A. Lee to the Committee opposed to the letr respecting Carmichal.

Passy Jany 31st 1778 A. Lee to Committee, Mr. Carmichal received in London of me the year before last a little book for the secret Commtee.

Paris Jany. 15th 1778 A. Lee to the Committee—3,000,000 livers from Spain desires to be instructed respecting the appropriation of it.

Apl 1st 1778 from A. Lee—the Dunkirk business prevented Prushia doing as she promisd.

Paris Apl. 4th 1778 A. Lee. Dr. F & I[3] are endeavoring to settle the accots as well as we can from the papers Mr. D. left in his hands.

Paris Apl. 8th 1778 A. Lee, mentions sundry inclosures.

Nants 25 Apl. 1778 Schweighauser.

2d May from same.

Paris June 1st 1778 A. Lee. Mr. Montieu's paper says Mr. D. left matters in a confused state—37 livres given for cloaths that might have been had for 32. 100,000 livres advanced to Mr. Hodge there appears no accot—been told Cunnynghams vessel cost £3,000. Could not persuade his Colleagues to settle accots. A letter from Dr. F. to his Nephew lament the differences with his Coleagues. Our friend in Spain promise to invest with 180,000 Livers more.

Paris July 16th 1778 A. Lee to Committee advice from the port used to ship Blankets &c that 6,000 Blankets, 10,000 shoes, a large pasele Hose, with Rigging, sail Cloth & ready to ship. As I have refused to the passing Mr. Williams accots. or paying him the Ballance, reason for doing so not mentioned.

Paris July 29th 1777 A.L. to Chairman of Committee. King of Prussia objects to receive a public Minister—papers rob[b]ed at Berlin were returned in a few hours Appearantly unopened.

Baron Shewlinbourg says his Majesty wishes nothing more than our success; the credit of our Enemies low in Germany & is informed sinks in Holland.

Paris Decr. 6th 1776 S.D. to Committee Read before.

1778. Paris 16th Jany. R. Izard to the Abbe Nichola

14th July from Do to Do—by which it appears that the Grand Duke declines receiving him in his public Character.

July 25 R. Izard to Committee.

Augt 7th A.L. to Committee, mentions Mr. Thornton—Mr. D. remitted to S. Wharton 19,520 Livers which is to seen Mr. Bankers accots.

Augt 11th A.L. to Committee—sent some time ago all the receipt for money advanced to individuals which were charged to Mr. D. Shall soon to able to give some accot. of loan in Holland.

1778. Augt 14 J. Adams very short.

Bourdeau 20 Augt John Bonfield.

Paris Augt. 21st A.L. are Pretty well inforrn'd the British cabinet has resolved to acknowledge our independency, receiv'd assurance through the Embassador that my memorial will be answered.

Passy Augt 21 J. Adams to Mr. Laurens mentions the action between the French & British fleets.

Augt 27 1778 A.L. in[forms?]

from Do to J.L.[4] you must not trust too much to European loans.

Augt 31 A.L. to Committee, it has been hinted to me that there will be two important subjects of negociation with the Spanish Court, which wishes to have opinion of Congress. Masts for the Spanish Navy at a reasonable price stipulated. 2d cession of the Floridas shod they be conquered. For this they will stipulate to furnish the fund to sink all or great part of the paper. Cannot presume to proceed on this Business without particular instructions.[5]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] Of the 26 letters read by the committee this day, several are printed in Wharton's *Diplomatic Correspondence*. This letter and those written by Arthur Lee dated July 29, 1777, and January 15, April 1 [i.e., 2], 4, and 8, June 1, and August 7, 21, and 31, 1778, are in 2:369-72, 392-93, 470-71, 536-37, 541-43, 600-603, 679-80, 691-92, 699; Silas Deane's December 6, 1776, letter is on p. 218. Arthur Lee's letter of August 27, 1778, to the Committee for Foreign Affairs is in PCC, item 83, 1:274-76. The remaining letters are not in PCC.

[2] Benjamin Franklin and Silas Deane.

[3] Ralph Izard.

[4] Apparently James Lovell.

[5] For the continuation of these proceedings, see the committee's minutes, February 10, 1779.

John Jay to George Clinton

Dear Sir, Philadelphia 8th Feb'y 1779.

Inclosed in a Letter of this day you will receive from me an Act of Congress requesting Connecticut & New York to afford a Supply of Provisions to the Inhabitants of the State of Rhode-Island who are said to be in great distress for want of Bread.[1]

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This is a Subject which in my Opinion is to be treated with great delicacy. New York has credit for her Exertions to supply the army & the exhausted State of her resources is known. It is nevertheless hoped that she may be able to give some Releif to her starving Sister, & every motive of humanity & policy will advise it if practicable. Care however ought to be taken of our own Inhabitants, and the Releif, if afforded, should be so regulated as to prevent that amazing Exportation, & intolerable Rise in the price of Provision, which would follow an incautious tho' partial Refusal of the Embargo. Nor would it, I think, be wise to go into any measures in consequence of this recommendation without having previously consulted with the Commissary General, as well as with Connecticut; with the former, on the State of his Magazines, with the latter on the Subject of a joint plan. Unless there be an overplus to be spared from the Necessities of the army, & the Consumption of the Inhabitants all ought to be retained. If there be an Overplus in both States, would it be amiss for the Commissary to purchase & collect it at the Expence of Rhode-Island, & let the Government of that State cause it to be transported, and provide for its due distribution. The Poor of that State will otherwise be at the mercy of Engrossers, and, like the wretched Egyptians, under the vicegerency of Joseph, be obliged to give their hand for corn. I am, Dear Sir, Your Friend & Servant, John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:552–53.

[1] For Governor Clinton's letter of February 18 to the New York legislature enclosing the "Act of Congress" referred to here by Jay, see ibid., p. 580.

John Jay to George Clinton and Jonathan Trumbull, Sr.

Philadelphia 8th Feby. 1779.

Sir,

In consequence of the Representation made of the distress of the State of Rhode-Island for want of Provision, Congress have this day passed an Act of which the enclosed is a Copy,[1] requesting the States of Connecticut & New-York, to afford them such Supplies as their Necessities call for, so far as their circumstances will admit, & under such Regulations as may best answer the End proposed.

I have the Honor to be Sir, with great Respect, Your Excellency's most Obed & H. Servt. J. J.

LB (DNA: PCC, item 14). Addressed: "To His Excellency Governor Clinton." Endorsed: "N.B. The like verbatim to Govr. Trumbull."

[1] *JCC*, 13:151–52.

John Jay to Caesar Rodney

Philadelphia 8 feb. 1779

Sir

Your Favor of the 4 Inst. was this Moment delivered to me, and shall be communicated to Congress as soon as they meet this Morning.[1] I congratulate your Excellency on the accession of your State to the Confederacy. It is an important Event, and must give Pleasure to those who wish to see our union compleat & stable.

I have the honor to be with Respect & Esteem, Your Excellency's most obed Servt,

John Jay.

RC (Kungliga Biblioteket, Stockholm, Sweden).

[1] Rodney's February 4 letter to Jay, announcing that the Delaware assembly had authorized its delegates to ratify the Articles of Confederation and that they would be so instructed as soon as a certified copy of the act was available, is in PCC, item 70, fols. 695-96. It was read in Congress on February 8, and Thomas McKean laid the state's ratification act before Congress on the 16th. *JCC*, 13:150, 186-88. For the assembly's expression of reservations to the Articles, which was "concurred in . . . previous to their passing a law to empower their delegates to sign and ratify the said articles of confederation," see *JCC*, 13:236-37; PCC, item 70, fols. 699-704; and Rodney, *Letters* (Ryden), pp. 293-95. Delaware declared that it was ratifying the document "notwithstanding the terms of the articles of confederation and perpetual union are considered as in divers respects unequal and disadvantageous to this State."

John Jay to George Washington

Philadelphia 8th Feby. 1779

Sir,

I am directed to transmit to Your Excellency the enclosed Copies of two Letters—One from Major Gen. Schuyler to Congress—the other from Mr. James Deane to him.[1] The State of Delaware has acceded to the confederation.

I have the Honor to be with the greatest Respect & Esteem, Your Excellency's most Obedt. & Hbl Servt.

John Jay, President

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 13:151. These enclosures—copies of James Deane's letter to Philip Schuyler of January 18 and Schuyler's letter to Jay of January 27, 1779—are in the Washington Papers, DLC. The letters received by Congress, which contain intelligence about recent developments among the Onondagas affecting prospects for peace with the Six Nations, are in PCC, item 153, 3:416-23.

Thomas Burke to Anne Emlen

Feby 9th. 1779

It gives me the most unfeigned concern, my amiable friend,[1] that I have had the misfortune to declare any opinion in your presence which may

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have shocked your pure principles, or altered your notions of my moral Sentiments. I was betray'd into this Indecorum by not sufficiently attending to the difference of those lights by which you and I discover and survey moral objects. You have the advantage of pure Inspiration, I am by divine Providence left entirely to mere human reason under all the prejudices of habit and Education. Your Charity I know will make every allowance for one so circumstanced. You will, I am persuaded readily forgive, what could not be attributed to any thing but Error to which So great a part of human kind are subject, and from which no One is exempt but such as Heaven has favor'd with peculiar and immediate Information.

Having no Arguments to offer but such as I must derive from reason and Experience, I will not venture to offer any. Such you will, no doubt, deem frivolous when Opposed to yours which are drawn from Sources so far transcendant. I must submit to the Convictions my mind derives from the only means of Information which Heaven has been pleased to give me, until God, in his good pleasure, shall give me clearer light. And until such period shall arrive I Shall not deem myself worthy to approach your purity. I must submit, tho very reluctantly, to forego the pleasure of your acquaintance and Conversation, Since Such is your wish—but I shall never cease to wish thee all possible happiness here and hereafter; nor shall I ever lose the pleasing remembrance that you once deemed me not entirely unworthy of your benevolent regard.

I consider my self now as taking my last farewell of a Lady for whom I entertain the most affectionate Esteem; and I feel myself too sensibly affected by this Circumstance to admit of one lively thought. You will find nothing entertaining in my letter, but you will find in it much truth and Sincerity, and I hope you will believe me when I assure you, I am Your unfeigned, affectionate Friend, Thos. Burke

P.S. I entreat you to remember that by luxury I mean nothing sensual, excessive or injurious. That I mean by the word, for the purpose I used it in company with you, the temperate Engagment of the refined pleasures of Taste and Imagination.[2]

RC (PHi: Emlen Collection). Addressed: "Miss Nancy Emlen."

[1] For Burke's relationship with Anne ["Nancy"] Emlen, a young Philadelphia Quakeress with whom he had conducted an exchange of polite poetry when he was in the city in 1777, see John Watterson, *Thomas Burke*, pp. 110-12. Burke's poetry has been published in Richard Walser, ed., *The Poems of Governor Thomas Burke of North Carolina* (Raleigh, N.C.: State Department of Archives and History, 1961). For three poems Burke had composed in the guise of "Colin" for Miss Emlen ("Chloe"), see especially pp. 41-49, 65-66. A facet of Burke's poetic talent can also be seen in his satiric "Epistle" to Thomas Paine, July 16, 1779, below.

[2] Miss Emlen's lengthy March 3 reply to Burke is in the Cox-Parrish-Wharton Papers, PHi.

Committee of Congress to Thomas Johnson

Sir, Philadelphia. 9th Feby. 1779.

The Delegates of the State of Maryland having made Application to us to know the Quantity of Flour which would be wanted from that State we directed the Commissary General to furnish us with an Estimate for that Purpose. He hath stated it at 30,000 Barls. but from the best Information we can get you will find great Difficulty in procuring that Quantity by any Mode whatever. We fully agree with your Excellency in Opinion that a Declaration of great Wants will produce great Prices but our Wants are great. If then we are to declare them we cannot be justified in placing them lower than they really are. On the whole Matter we must submit to your Excellency's Consideration the Propriety either of taking the most effectual Measures to procure an indefinite Quantity or of squaring the Commissary's Demand to the Abilities of the State. In all Cases it will be prudent to begin as soon as possible and we have to lament that by the Adjournment of your Legislature it is without your Excellency's Interference postponed to a distant Day.[1]

We have the Honor to be with the greatest Respect, Your Excellency's most obedt. & Humble Servt. Gouv. Morris

Wm. Whipple

RC (MdAA: Red Books). Written by Morris and signed by Morris and Whipple.

[1] See Maryland Delegates to Thomas Johnson, this date.

John Fell's Diary

Tuesday Feby the 9th. [1779]

Commercial Committee. Congress. A Number of Letters. A Curious one from Philip Johnson[1] with Offers to destroy the Fly that does so much hurt to the Wheat. Card to the President, from M Gerrard.[2] Treasury appointed 5 auditors—Wm Bedlow appointed one. Committee appointed to examine the accusation agst. Robt. Morris Reported. 6 P M Committee on foreign Affairs.

MS (DLC).

[1] This is probably the "P. Jackson, of Alexandria" referred to in the journals. *JCC*, 13:155.

[2] For Conrad Alexandre Gérard's "Card to the President," in which he reported that he had been directed "to communicate to Congress subjects of the highest importance," see William Henry Drayton's Notes, February 15, 1779, note.

John Henry to Thomas Johnson

Dear Sir Philadela. Feby. 9th 1779.

I have this Moment reced yours of the 5th.[1] I shall always execute with peculiar pleasure your private Command. The several Letters which the

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Delegates have received from you will be strictly attended to. An Account of the Pay, cloathing and other allowances to the officers and privates, you shall receive to Morrow. We have just had an important piece of intelligence, which I am not at liberty to relate—as soon as it is publick you shall have it.

I am Sir with great respect, yrs, J. Henry Junr

RC (MdAA: Red Books).

[1] This was apparently a personal letter from Johnson, not the February 5 letter from the council to the Maryland delegates that is in *Md. Archives*, 21:294–95.

Samuel Holten to the Massachusetts Council

Dear Sir. Philadelphia February 9, 1779.

As the British Kings speech may not come to hand, before this reaches you, I will inclose it, with several other papers, which contain all the public intelligence here worthy your attention; *that I am at liberty to communicate.*[1]

The committee of congress that has under consideration, what ways & means are most adviseable, for supplying the eastern states with flour, reported yesterday, and after some debate thereon, it was recommitted for amendments,[2] but I believe it will not be long, before congress will come into some resolutions respecting the same.

I have the honor to be with the greatest respect for the honble board & your self, Sir your most obedient and most humble servant.

S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "Hon. Jeremiah Powell, Esqr., President of the hon. Council.

[1] For "the British Kings speech," see William Henry Drayton to George III, February 13, 1779, note 1. Holten's hint that Congress was considering other matters that he was not "at liberty to communicate" is doubtless a reference to the rumor that Spain was about to submit a final mediation offer to Britain which if refused would lead her into the war on the side of France and the United States. This information was formally submitted to Congress by Conrad Alexandre Gérard in a February 9 memorial that was read in Congress on the 12th. See William Henry Drayton's Notes, February 15, 1779, note.

[2] Congress had recommitted a committee report on the Massachusetts Council request of January 14 for lifting the embargo on provisions. Despite Holten's optimism the report was not acted on until February 26, when Congress voted to recommend to the southern states that they allow exports of provisions to Massachusetts and Rhode Island. See *JCC*, 13:130, 151–52, 257; and PCC, item 65, 1:368–69. See also Rhode Island Delegates to William Greene, this date.

John Jay to William Greene

Sir, Philadelphia 9th Feby. 1779

The Congress, deeply affected by the distress which the People of your State experience by the scarcity of Provision, & anxious to afford them Releif, did, on the 8th Inst. pass an Act, of which the enclosed is a copy.

I immediately transmitted Copies, by Express, to the Governors of Connecticut, & New-York;[1] & sincerely hope that this measure may have the desired Effect.

I have the Honor to be, Sir, Your Excellency's most Obt. & Hbl Servt.
John Jay. President

RC (R-Ar: Letters to Governors). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See Jay to George Clinton and Jonathan Trumbull, February 8, 1779.

Henry Laurens to William Read

Doctor William Read[1] 9th February [1779]

I had the honor of writing to you on the 3d or 4th Inst.[2] by Colonel John Laurens to whose special attention I recommended the dispatch. I have learned nothing very material respecting Georgia affairs in addition to the advices contained in that Letter. I am told General Nelson from Virginia has generously step'd forth and headed the troops from that State going to the relief of South Carolina and Georgia, the number not mentioned. His presence and example will encourage hundreds to march, who otherwise would have remain'd at home—near three thousand Men from North Carolina had arrived at Charlestown, badly armed or without arms. The Enemy have obvious and very great advantages over us which they are well apprised of, and will practice to our very great distress. Georgia will be gleaned of every grain of Rice, Corn &c every pound of Indigo, all her Cattle, Horses and other live Stock—of all her Cannons, Military and other Stores, of thousands of Negroes, and according to the humour or orders of the Enemy her surface may also be cleared of every Building—all this may be done in spite of our efforts, and a safe retreat to St Augustine effected, either by Land or Water. But when I reflect on the Auxiliary forces of Savages and disaffected Persons it appears probable that the Conquerors will keep their footing.

In my last I intimated a design of paying a visit to New Jersey, probably to Brunswick. I still hold my purpose therefore I shall only add that you are welcome to draw on me for so much money as your circumstances require, had you named a particular sum I would have sent it by Mr. Clarkson. I shall reserve other subjects for conversation when we meet or for a future Letter, in case of my going directly for South Carolina.

I have no doubt that due honor was paid to your former draught otherwise I should have heard of it. The Newspapers inclos'd will shew you a Letter, from Major General Howe accounting the flight of our People from Savannah, you will make your own remarks upon it. I beg you will be assured Sir, of my friendship and good will, and that I am, Your obedient humble Servant, H.L.

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Tr (ScHi: Laurens Papers, no. 16).

[1] See Laurens to Read, September 15, 1778.

[2] Not found, but information on the financial assistance Laurens had been providing Read can be found in the latter's letters to him of October 9 and November 5, 1778, Laurens Papers, no. 16, ScHi.

Maryland Delegates to Thomas Johnson

Sir Philadela Feby 9th. 1779

When we wrote to you last upon the subject of supplies for the army we understood the General Assembly was to meet on the first of March, and Mr. Morris and Mr. Whipple concluded the time was so short that it would be unnecessary to call the Assembly before that Day. But as we are mistaken as to the Meeting of the Assembly, it is their opinion and ours, that a Meeting of the Assembly as soon as they can be called, will be necessary.[1] As to the quantity expected from Maryland, you will have the best Idea we can get, from the enclosed Letter.[2] The Commissary Genl is not in Town, from whom we might expect a more accurate answer—as soon as we can see him, application will be made, and his answer transmitted to you.

We are Sir with the highest personal respect, yrs.

Wm. Paca

John Henry

RC (MdAA: Red Books). Written by Henry and signed by Henry and Paca.

[1] Governor Johnson immediately took steps to convene the Maryland legislature, which met in a special session March 9-25, 1779.

[2] Apparently the letter of this date written by Gouverneur Morris and William Whipple, members of the committee for superintending the commissary department. See Committee of Congress to Thomas Johnson, this date. See also Maryland Delegates to Johnson, February 2, 1779, note 2.

Rhode Island Delegates to William Greene

Sir, Philadelphia Feby. 9th. 1779.

We seized the very first opportunity that offer'd after the receipt of your letter, set forth the distressed situation of our brethren, and moved Congress in the terms specified by you. The vote of the Assembly ought to have been inclosed to us. The motion was committed, together with an application from Massachusetts-Bay desiring a recommendation to the southern States to take of[f] their embargoes. On the motion from Rhode-Island the committee reported the inclosed Resolution;[1] the report on the Massa. Application was recommitted. In that report our State was included.[2] We could have wished and exerted ourselves to obtain the repeal you desired; but the scarcity of Provision in New-York & Connecticut is so great, the demands of the army so pressing, and the apprehensions of monopolizing so terrible, that we could not accomplish it.—We hope that what we have effected will afford some relief to our wretched inhabitants. The President hath wrote to those States;[3] so that a speedy application will not be too early.

The inclosed Paper will give your excellency the Speech of the King of Great-Britain.[4] An address was moved of course, which occasioned a spirited debate. From a paper put into W.E.'s[5] hands this morning he made some short minutes which may convey entertainment and perhaps instruction. Mr. Fox charged the Speech with falsehood, was pointed & severe on the conduct of the ministry. Mr. Townsend moved as an amendment, that his majesty would remove the present ministry. Govr. Johnstone thought it necessary to support 25,000 men in America, if they meant only to carry on a defensive war, and retain their possessions; declared that the ministry had ruined the effects of the commission by the most unparallelled Impotence. Lord North said it was time to take our ground and vigorously exert ourselves to punish the perfidy of our malignant enemy and reduced the claims of our revolted subjects. The majorities were as usual.

Lord North may take his ground &c as soon as he pleases. We have nothing to fear. There is no probability of the enemy's collecting any foreign auxiliaries, notwithstanding the vapouring you may have heard of thousands of Russians coming over.

We have no late Advices from So. Carolina. We are in daily expectation of intelligence from our Commissioners at Paris; when we receive any Intelligence which we shall be at liberty to communicate we will transmit it; in the meantime We are with great respect, Yr. Excellency's most obedt. humble Servts. William Ellery

John Collins

P.S. The post not going out so soon as was expected gives us an opportuny. to send you Halls & Sellers paper contg. the Speeches on the address. W.E.

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collins.

[1] Rhode Island had requested Congress to urge New York and Connecticut to repeal their embargoes "as respects supplying the inhabitants of this state with provisions by land." Congress, however, merely directed the president to request these states to supply Rhode Island "as their necessities call for, so far as circumstances will admit, and under such regulations as may best answer the end proposed." See William R. Staples, *Rhode Island in the Continental Congress, 1765-1790* (Providence: Providence Press Co., 1870), pp. 209-10; and John Jay to William Greene, this date.

[2] Rhode Island was included in a later February 26 recommendation to the southern states to allow exports of provisions to Rhode Island and Massachusetts. See Samuel Holten to the Massachusetts Council, this date, note 2.

[3] See John Jay to George Clinton and Jonathan Trumbull, February 8, 1779.

[4] See William Henry Drayton to George III, February 13, 1779, note 1.

[5] That is, William Ellery.

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William Whipple to John Langdon

My Dear Sir, Philadelphia 9th Feb 1779

My last viz No 10 I think was very short,[1] since which I have not been favored with any of yours. I some time ago desired to know if any small vessels could be procured to come this way for flour and iron, but not hearing from you on that subject, have been endeavoring to procure orders from the M. C.[2] for vessels to be sent to this place and Baltimore and have at last succeeded. This Post carries orders to the Navy Board at Boston to send five vessels this way for the above purpose,[3] two of which they will apply to you for, in consequence of my representation that two such cargoes at least would be wanted at Portsmouth—for reasons needless for me to mention I hope the vessels from Portsmouth will be procured on at least as good terms as the others. Vessels have been freighted to Boston from hence for one quarter of what they can carry, each party risking his own property—in this case the vessels have loaded wholly with flour—whether there ought to be any difference with iron you will judge. I have lately heard vessels cannot be had at Boston on those terms; however of that you will also judge at any rate I think it will be better to take them on a share than pay a certain freight and insure the vessel. For news I must refer you to the papers—the European powers are busy with negotiations—it is very probable proposals from Britain will reach us in the Spring—she will not have vanity enough to make them but on the principles of Independence, but will she give up the Sovereignty of Canada and Nova Scotia, that will stick in her stomach, but she must swallow it. Are you willing to share the Floridas with Spain on condition of her furnishing us with funds to sink our paper money? Perhaps France and Russia may settle the dispute between the Emperor and the King of Prussia—all these events are in the womb of fate but the general struggles may bring them forth shortly.

Adieu yours, W.W.

Tr (DLC: Peter Force Collection). Although Peter Force's transcriber captioned this letter "Wm. Whipple to Josiah Bartlett," it is clear from its content and the reference to Whipple's letter no. 10 cited in note one below that the recipient was John Langdon.

[1] William Whipple's letter "No. 10," dated February 2, 1779, simply stated: "As I have none of your favours to reply to nor news to give you, being also in a hurry I shall only ask your permission to call this No 10—Beg the favor of you to deliver the inclosed letters & inclose a few Barren News Papers." John Langdon Papers, PHi.

[2] That is, the Marine Committee.

[3] See Marine Committee to the Eastern Navy Board, February 10, 1779.

Samuel Adams to Samuel A. Otis

Dear Sir Philade Feby 10 1779

The Late Mr Andrews[1] before his sudden & unexpected Death had written to a young Kinsman of mine in this place, Mr Richard Checkley, proposing to him to go to Boston with a View of employing him in his Warehouse. I know not whether Mr A intended to employ him in his own separate Affairs or in those in which he was joyntly concerned with you for the publick. Mr C had not heard of his Death till he was just about setting off on his Journey to Boston when I informd him of it. He is a young Man who, I am told, bears a good Character and is used to Business. If you can employ him it will be doing him a singular Benefit and I shall acknowledge it as a great favor. I ask it only on this Condition, that it may be perfectly consistent with your Views. I am with Cordial Esteem, Sir, yr hble Serv[1]

FC (NN: Adams Papers).

[1] Adams was probably referring to Benjamin Andrews, a Boston merchant, who had recently been shot accidentally by Benjamin Hichborn. Winthrop Sargent, "Letters of John Andrews Esq. of Boston, 1772-1776," *Proceedings of the Massachusetts Historical Society*, 1st ser. 8 (1864-65): 319.

John Fell's Diary

Wednesday Feby 10th. [1779].

Commercial Committee. Congress. Letters Read. Mr. Morris's Defence and Papers, Read. Deferd till Tuesday next.[1] President Reeds Letters & Majors Clarksons, Debate lasted till 5 o Clock.

MS (DLC).

[1] Congress had ordered Robert Morris' letter "to lie on the table until Congress shall have taken into consideration, and determined on the report delivered in last evening." The report on Morris was ready the next day and Congress concluded the issue then rather than "Tuesday next." See *JCC*, 13:159-60, 163-76; and Henry Laurens to Congress, January 16, 1779.

Foreign Affairs Inquiry Committee Minutes

Feby 10th [1779]

Present Whipple, Ellery, Searle, Paca, Elsworth, Langworthy, Laurens.

Mr. Deans narrative.[1]

Page 7 his Bills protested a strang[er] with[ou]t connections & very little money.
8 without money, credit or Friend.
11 July 1776 became acquainted with Mr. Beaumarchais.
16 settled the plan for sending our supplies to America.
18 refers to Mr Beaumarchais of 23d March.
24 refers to correspondence between Mr Beaumarchais & Mr Lee.
25 Mr McCrary's narrative.
left off at page 31.[2]

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MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] For Silas Deane's "narrative," which the committee read on February 10, 11, and 12, see Francis Lightfoot Lee to Richard Henry Lee, December 25, 1778, note 1.

[2] For the continuation of these proceedings see the committee's minutes, February 11, 1779.

James Lovell to Unknown

Sir,[1] Philada. 10th Feb. 1779

Hard as it is to get a Line from you in the Chit Chat way I do not dispair of obtaining one in a point of serious friendship.

The Letters of Mrs. L——[2] and Mr. Bells Conversation as well as that of less intelligent Persons and the Manners of People here convince me that while I burn candles here till morning drudging in addition to what the Labors of the day continually are, I am only *earning a Debt* which will be a Load on my Shoulders here after without any certain or probable Views of liquidation. I find £200 Rent demanded instead of 60. Mr Avery with his small Family spends in Bread 150, what will my many mouths demand? Those two Articles with a p. of Linnen and one Suit of Cloaths, for myself amount to the whole annual Allowance made me. Whence then Wood, Cloathing, Meat—&c. for my Family? Is it decent, nay is it not base in me to know how much my dearest Connections are a Burthen upon the Generosity of munificent private Persons, and not endeavour to put an end to it. I cannot be understood to drop herein the least hint against the Public, I mean Government, tho I am willing to have any Construction put upon my Words as respecting the Majority of the People, who make only a pretence of the Quantity of money to open the Floodgates of Extortion. I am honored highly honored by an Election, I am flattered for my Industry and I am praised & rewarded by my Conscience; but still I must look beyond my Self to Wife & Children.

Every Allowance is & will be made to me that is made to my Colleagues. Hundreds of worthy Men would take my Place. The Public cannot therefore be in any measure justified in a Thought of maintaining a Tribe where a Bachelor or a Man of Fortune would freely supply a Vacancy.

I grow daily more and more easy respecting our Cause, it is almost out of the Reach of our open Foes or domestic lurking villainus Enemies. I cannot justify myself to write largely to you on this Head being under singular Injunctions tho not individually approving them. But Providence is turning great Wheels for us. You may almost venture to believe any favorable Paragraphs in the Gazettes whatever. You will have Arrivals shortly that will put our mimic Secresy at Ridicule. But to return to my important Self. I have sent to our Council an Acceptance of the Honor done me.[3] How shall I so soon signify the contrary? I suppose in a month or two those matters will be arranged here in which I have been by accident judged to be a most essential Agent. If I could then return home to the most menial Situation I think I have not pride enough to be choaked at the Reversal. I really think I am chargeable with Indecency to the Public to continue in a Station such as the present when I see for a demonstrable Certainty that the *Delegates* Children must go *Barefoot.* Whereas the Lemmon Seller's may ride in a Chariot. Grant that even the Latter are barefoot, the Contrast of Nakedness and Honorable Station is not superadded to mortify the Parents mind.

Here you have it, Sir, wildly expressed and worse written. Counsel me, and point out something of an Income to meet me at my Resignation. Remember that I have lived eleven days on Bread & Water.[4] I am sure I could stand it longer than that *out of Prison;* and my Example would make it bearable to my Boys. I cannot return, out of place, to visit and be visited with any means of Support: but be assured, little would be better than knowing as I said before that I am *earning Debt,* which the Porter is not.

I shall not pretend to deny that I am in the Dumps or as Doctr. Jos Gardner says "have got the Horrors."

I fancy I am already better than when I began to write. I feel relieved in the Certainty that you will invent Something of Employ for me.

Pray excuse me to Doctr. Cooper. I promised to answer his kind Letters but it is absolutely impossible now. I could not tell him more than I have hinted to you.

We shall be *free* I hope in addition to our *Independence,* and *out of debt* speedily after this War is once over.

What under the Heavens is the Reason that *our State* has not sent for Flour instead of giving Certificates to *good Men* who will only bate 6d a Barrel of what *Villians* demand of the distressed Inhabitants. If good Individuals of New-England may be favored why not good Individuals of the middle & Southern States? There are some pious Merchants this Way that would bate the Bostonians *twice* 6d I verily believe.

I shall foolishly scribble till I lose the Post. Your very humb Sert.

James Lovell

RC (PPIn).

[1] The recipient of this letter is not known, although it is clearly a Boston patron of Lovell's—perhaps John Hancock, who often provided support for Lovell and his family.

[2] That is, Mary Middleton Lovell—Lovell's wife.

[3] Not found.

[4] A reference to Lovell's imprisonment by the British in 1775, which had made him a celebrity. See these *Letters,* 3:42n.1.

Marine Committee to the Eastern Navy Board

Gentlemen February 10th 1779

We have your favours of the 9th 16th & 25th december, 6th, 13th, 15th, 21st & 27th ultimo,[1] which at present we have not time to answer, but we shall shortly consider their Contents and reply to such parts as may be necessary.

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In consequence of your last letter of the 27th and the letter Inclosed therein from Governor Trumbull we have Ordered Captain Harding in the Confederacy to join the State Ships in the proposed attack upon the enemies Vessels in the Western sound, and have allowed ten days after the sailing of his Ship from New London harbour for compleating that expedition, and if not done in that time he has our Instructions to proceed without delay on a Cruize upon the Coast to the southward, or sooner should the expedition be accomplished. We hope you have taken due Care to have that ship properly victualled and fitted for a long Cruize. We send you enclosed herein Coppies of our Letters to Governor Trumbull and of our Orders to Captains Harding & Olney[2]—the latter we have ordered to Cruize to the southward. We expect by the time this gets to hand that the ship Ranger will be compleated for the Sea—if so—or as soon after as she can be made ready we desire you will send her on a Cruize upon the Coast to the southward with Orders to join (if possible) the Deane, Queen of France & Confederacy and to Cruize in Company with those Ships.

We doubt not your most vigourous exertions are employed in preparing for Sea the Other Ships in the Port of Boston we have little hopes that they can be all manned shortly & would suggest to you the propriety of putting the men engaged with the Other Ships on board that Ship which has the best prospect of being first manned and by that means compleating her complement. Should you adopt this plan, you will do it in the best manner so as to keep the Seamen in good humour. We shall shortly again write to you respecting our Instructions with regard to the employment of the Ships you are now fitting out, in the mean time you will keep us constantly advised of their condition and the expectations you have of compleating them—we request you will acquaint us with the state of the Ship building at Portsmouth in New Hampshire.

We have given Orders for purchasing a quantity of Flour & Iron for the use of your Department, and desire that you will procure five small fast Sailing Vessels—three of which you will Order to Baltimore and two to this place for the purpose of transporting this Flour and Iron to the Eastward. Two of these Cargos will be wanted in New Hampshire, it may therefore be proper to direct the Agent at Portsmouth to send two Vessels from thence, more especially as probably vessels may be procured on better terms there than at Boston. If there are any vessels belonging to the Public that are suitable for this Service it will be best to employ them. Those that go to Baltimore must be addressed to William Smith Esqr. You will duely advise us of the sailing of these Vessels and their burthen. There now remains at Senepuxent of what was formerly purchased for your Department 180 barrels flour and 542 bar, or about 7½ Tons Iron. You will please to procure and send a proper fast Sailing vessel to that place to transport the same to your port. We are Gentlemen,

Your Hble servants

P.S. We shall very shortly send you more money and most earnestly urge your sending an Account of your expenditures with all possible speed.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book)

[1] These letters are in the Eastern Navy Board Letterbook, NN.

[2] See the committee's letters to Seth Harding, Joseph Olney, and Jonathan Trumbull, this date.

These direct orders from the Marine Committee to the naval officers so angered the members of the Eastern Navy Board that at least one board member, James Warren, protested in a February 28 letter to Samuel Adams that they had been "Mortifyed and will not long submit to it." *Warren-Adams Letters*, 2:93.

Marine Committee to Seth Harding

Sir February 10th 1779

You will receive and obey the orders and directions of his Excellency Governor Trumbull in A proposed expedition against the enemys Ships in the Western Sound. We expect you are victualled and equiped for A Long Cruize and if the Object the governor has in veiw is not accomplished in ten days after your sailing from New London, you are to hold yourself no longer bound by his Orders, and if the business is done in less time than ten days you will immediately afterwards proceed to Sea and govern yourself by the following Instructions. You are to sweep in the first place &c &c.

N.B. The remainder of these Instructions were exactly similar to those given Captain Olney of this date.[1]

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] See the following entry.

Marine Committee to Joseph Olney

Sir[1] February 10th. 1779

You are to sail immediately upon the receipt of these Orders Instructions unless there be powerful reasons to the contrary, and sweep in the first place this coast from the Southward of Cape May to the Bar of Charles Town, and afterwards to Cruize in such Latitudes and Longitudes which are best calculated to give the greatest aid and protection to the Trade of Delaware, Chesapeake and Charles Town, and as often as circumstances and the safety of your Ships will admit of it, you are to enter the mouths of Delaware & Chesapeake for the purpose of destroying the small Armed Vessels from New York that lurk about the Capes to the certain destruction of almost every Merchantman that sails. You are at the same time to be extreamly cautious in continuing in any of these places so long as to render yourself a certain Object for the pursuit of the enemy. If in the Course of this Cruize you should meet with the Deane or

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the Confederacy or both of them it is our orders, that you and they proceed on this Cruize in Company under the command of the Superior Officer to execute these Orders, and least you should be seperated by Storms or other circumstances, it would be advisable to establish such Private Signals that when the Ships meet again they may be known to each Other as friends.

The great delay expence and trouble in manning the Ships for Sea has induced this Committee to direct and Order you, to continue this Cruize as long as your Provisions and other circumstances will admit. As soon as you meet with the Deane or the Confederacy, you will give the Captains of these Ships a Copy of these Instructions, for the government of their conduct.

The superiority of the Naval force of the enemy on this Coast and the misfortunes that have heretofore happened to some of our ships, will we trust make you extreamly vigilant and active--the confidence we repose in your fidelity courage and good conduct, gives us every reason to hope for a successful Cruize. Most of the Armed Vessels from New York are inferior in force to yourself, which will put it in your power to aid the Trade of the Southern States by destroying many of them and thereby to render not only essential service to the Public, but to add to the honor and reputation of your own character.

You are to keep these Instructions a profound secret, and when the state of your Provisions requires, you will return into the Port of Philadelphia or some convenient One in the Bay of Cheseapeake from whence you are to give the earliest intelligence of your Arrival to this Committee.

We wish you success and are Sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Joseph Olney, a Providence, R.I., sea captain, commanded the Continental frigate *Queen of France* in 1778-79, until suspended and replaced by John Peck Rathbun in June 1779. William J. Morgan, *Captains to the Northward* (Barre, Mass.: Barre Publishing Co., 1959), pp. 83-84, 156-61, 165-66, 187.

Marine Committee to Jonathan Trumbull, Sr.

Sir

February 10th. 1779

By an express from the Navy Board in the Eastern Departt. the Marine Committee had the honor of receiving your letter to them of the 22 January respecting the enemies armed Vessels in the sound, and the probabillity of taking or destroying them by joining the force of the Confederacy to the two State Ships.[1] They were anxious of adding the Confederacy to the Number of these Ships destined for an other service; But the Object you have in veiw is so very desireable, and the accomplishment of it from your representation attended with so little danger or delay, that they have fallen into the measure and consented to join the Confederacy to the State Ships. You suppose a few days will be sufficient to answer the ends you have in veiw, and it is under this state of the case that I am by the direction of this Committee to inform your Excellency that Captain Harding will receive orders to Obey you, and take your directions for the government of his conduct in the proposed expedition, but not to exceed ten [*days*] after the Sailing of his Ship from New London in the said expedition tho should the service be performed in a shorter time the Captain is then to proceed with the Utmost dispatch agreeable to your Instructions.

I have the honor to be, Your Excellencys most Obedt. Hble servant,

S. Adams Chairman

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] In his January 22 letter to the Eastern Navy Board, which the board had forwarded in a January 27 letter to the Marine Committee, Trumbull had proposed an attack on British shipping at Huntington Harbor, Long Island. Eastern Navy Board Letterbook, NN.

Samuel Adams to Jonathan Trumbull, Sr.

Philad Feb 6 [11] 79[1]

Sir

The Marine Come have done themselves the Honor of writing to you by this Post. The great Dammage which has been done to the Trade at the Southward & particularly Chessapeak Bay by the Enemies Privateers has causd such pressing Demands for the Aid of our Ships of War as laid us under the Necessity of ordering the Queen of france immediately on a Cruize that Way. This I mention as a Reason why she could not be employed with the Confederacy & the other Ships but her Destination will remain a Secret. I hope the Expedition proposd by your Excy & agreed to by the Come will be performed in 2 or 3 Days, for I fear if it Should be known to the Enemy, not only the desired Event wd be prevented but there would be danger of our losing our Ships.

I have only time to beg the favor of your Excy to forward the inclosd by the first Oppty by the post or otherwise.

FC (NN: Adams Papers).

[1] Although Adams clearly dated the draft of this letter "Feb 6 79," and it is printed with that date in Adams, *Writings* (Cushing), 4:120-21, he apparently redated the recipient copy of it February 11, 1779. *Paul C. Richards Catalog*, 151 (September 1981), item 85. Moreover, the Marine Committee letter referred to here as being written "to you by this Post" is clearly the preceding entry.

Samuel Adams to James Warren

Philade Feb 11, 1779

My dear Sir

Will you be so kind as to present my due Regards to Mrs Warren and let her know that immediately upon my receiving her Letter for Miss

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Wray I deliverd it to the Care of my worthy Friend Coll Laurens who has since informd me that he has forwarded it in his own Packett to South Carolina.

I have lately written several Letters to my Friend Dr C,[1] and have informd him that you & He and Mr S P Savage are my only confidential Correspondents in Boston. I have other trusty Friends but I have not Leisure to write to them all. I have expressd my wish to him that the honest and virtuous Friends of our Country wd cultivate a cordial Esteem for each other. I am affraid there are little Jealousies among them which prevent their uniting their Councils and Efforts against that Inundation of Levity, Vanity, Luxury, Dissipation and indeed Vice of every Kind, which I am informd threatens that Country which has heretofore stood with almost unexampled Firmness in the Cause of Liberty and Virtue. This Torrent must be stemmed, and in order to do it effectually there must be Associations of Men of unshaken Fortitude. A general Dissolution of Principles & Manners will more surely overthrow the Liberties of America than the whole Force of the common Enemy. While the People are virtuous they cannot be subdued; but when once they lose their Virtue, they will be ready to surrender their Liberties to the first external or *internal* Invader. How necessary then is it for those who are determind to transmit the Blessings of Liberty as a fair Inheritance to Posterity, to associate on publick Principles in Support of publick Virtue. I do verily believe, and I may say it inter Nos, that the Principles and Manners of New England, producd that Spirit which finally has establishd the Independence of America; and Nothing but opposite Principles & Manners can overthrow it. If you are of my Mind, and I think you are, the Necessity of supporting the Education of our Country must be strongly impressd on your Mind. It gives me the greatest Concern to hear that some of our Gentlemen in the Country begin to think the Maintenance of Schools a great Burden. I wish they could hear the Encomiums that are given to New England by some of the most sensible and publick spirited Gentlemen in the Southern States for the Care and Expence which have been freely borne by our Ancestors & continued to this time for the Instruction of Youth. Virginia is duly sensible of the great Importance of Education, and, as a Friend in that Country informs me, has lately adopted an effectual Plan for that necessary Purpose. If Virtue and Knowledge are diffusd among the People, they will never be enslavd. This will be their great Security. Virtue and Knowledge will forever be an over Balance to Powers and Riches. I hope our Countrymen will never depart from the Principles and Maxims which have been handed down to us from our wise forefathers. This greatly depends upon the Example of Men of Character & Influence of the present Time. This is a Subject my Heart is much set upon. But I fear I have wearied your Patience. I will conclude with my most ardent Prayer, that our last Days may be our best Days and our last Works our best Works. Adieu, my dear Friend, S.A.

[*P.S.*] Pay my due Regards to your Circle in Plymouth. Are you acquainted with Mr D?[2] I mentiond him to you in a former Letter as an excellent Republican & recommended him warmly to your Friendship.

RC (MHi: Warren-Adams Papers).

[1] That is, Samuel Cooper.

[2] Probably Francis Dana, who was discussed in Warren's February 28 response to this letter. *Warren-Adams Letters*, 2:92.

Connecticut Delegates to Jonathan Trumbull, Sr.

Philadelphia
May it please your Excellency. Feby. 11th, 1779.

Your first enquiry, we presume will be, how goes on Confederation? We have the pleasure to inform you that Jersey and Deleware have acceded—and Maryland alone stands out—her reasons for it we enclose to you, and whether we shall send to all the States for their consent to a Confederation of twelve, or wait for Maryland to consider better of it, and acceed, will be the most expeditious, and prudent method of bringing this important business to a close, is the question.

Recruiting, providing for, arranging and paying the Army, have long engaged the attention of Congress. These are all important objects, & notwithstanding the present deranged state of our foreign affairs, and internal resources, and the reduced condition of our finances, we hope and trust that such wise measures will be adopted and supported by the united exertions of the several States as, will through the smiles of Heaven, put them upon a firm and respectable footing. The Committee appointed to confer with Gen. Washington on this business have prepared a number of resolutions to lay before Congress, which when passed, we shall embrace the earliest opportunity to transmit to your Excellency.

The Resolution passed upon the Representation from the State of Rhode Island, of their inhabitants being likely to famish, through the operation of the land embargo in Connecticut, has been transmitted by the President.[1]

Although Mr Dean has long since been heard on his agency abroad, yet his affairs remain undecided upon—a Committee is appointed to look through them, in order to bring them to a proper and speedy issue.

The misunderstanding which subsisted amongst our Commissioners when abroad, & the unfavorable insinuations given respecting the merit of each other, have excited (to say no more) the caution of Congress, at least of many of the members in regard to their transactions abroad. Mr Dean's publication & the reply of Common Sense, particularly that part which asserted that he had in his hands a letter, which shewed that the supplies Mr Dean so pompously plumed himself upon—were all promised and engaged, and that as a present, before his arrival in France &c proved a

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source of great embarrassment and difficulty—alarmed the French Embassador for the interest and reputation of his Court, which he considered would be disagreably affected thereby—he remonstrated to Congress on the subject, who passed a Resolve that those supplies were received in the way of trade, and not as a present from the Court of France.

We doubt not but it will appear that Mr Dean has done much for, & deserved much of his Country, and that he will be properly considered.

The King's speech with debates in Parliament as far as they have come to hand—the latest advices from the Southward and West Indies—& the unhappy controversy that has arisen between the President and Council of this State & Genl. Arnold are contained in the enclosed News papers, to which we refer you. The rate of exchange for bills on France, as sold by Mr Holker, their Agent, is £900 Continental money for £100 Sterling. Authentic intelligence has been recd in Congress from Europe, of high importance & in appearance far from being unfavorable to America, which we are not at liberty to communicate at present.

With the highest esteem & respect—We have the honor to be Your Excellency's most obedient & most hble. Servts

Elipht Dyer.

Oliver Ellsworth.

Jesse Root

Tr (DLC: Peter Force Collection).

[1] See John Jay to Jonathan Trumbull, February 8; and Rhode Island Delegates to William Greene, February 9, 1779, note 1.

John Fell's Diary

Thursday Feby. 11th. [1779]

Commercial Committee. Congress. Sundry Letters read and Referrd to Committee. Aron Lopezs Memorial relating to 2 Prizes, Referrd to the Committee of Appeals, Memorial of Capt. Cellorine to the Board of Warr.[1] Do of Sarah Kennedy for the loss of her Estate, Referrd to the Treasury Board. Letter from Genl Gates wth an Acct. of the Enemy at several Posts in Canada 2952 above Montreal 3922.[2] Letter from Jeremiah Powell President of Masachusets Bay giving an Acct of Coll David Mason and others great defaulters of the Public Money at the Labratory at Springfield Referrd to the Commander in Chief to bring the defaulters to a Court Martial.[3] Mr Laurens moved the House that he was fully satisfied in the Affair relating to Mr. R Morris, and declared him clear of all Suspicion to which the House unanamously agreed. An order from the Treasury for Coll Flowers's department causd great debate and his Carractor Canvasd which appeard good.

MS (DLC).

[1] For the Board of War's report on the memorial of Lewis Celeron, see *JCC*, 13:215.

[2] Fell was apparently using figures reported by Col. Jacob Bayley to Gen. Horatio Gates in a January 1 letter that Gates had forwarded to Congress. According to Bayley there were 3,922 troops in Canada, of which 2,952 were at Quebec, Sorel, Chambly, St. John's, and Isle au Noix. Bayley's letter is in PCC, item 171, fols. 197–98.

[3] See John Jay to Washington, February 15; and Jay to Jeremiah Powell, February 16, 1779.

Foreign Affairs Inquiry Committee Minutes

Feby. 11th 1779

Present Whipple, Ellery, Elsworth, Fell, Searle, Paca, Duane, Laurens, Langworthy.

Mr. Deans Narrative[1]—in a conference with Mr. Vergienes was assured that they shod be protected by his Majesty wod by no mean violate the Treaties with Britain.

page 38 solely engaged in sending the stores.

39 contract made with the farmers Genl. during Mr. Lee's absence in Spain.

45 made no considerable without consulting the Minister.

59 Arms purchased at Nants to amot. 250,000 livres.

77 several persons had reported to the Commissrs. that the Cannon & warlike stores shipd by him (Beaumarch.) wod be taken on the Ministry, the[y] reported this as coming from the Minister but on application which I several times made in person I never obtained any such assurances or even encouragement.[2]

left off at 116.[3]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] See the committee's minutes, February 10, 1779, note 1.

[2] The belief "that the Cannon & warlike stores shipd by [Beaumarchais] wod be taken on the Ministry" lay at the heart of Arthur Lee's charges against Silas Deane and fueled the Deane-Lee controversy among their partisans in Congress. For discussion of this controversial subject, see these *Letters*, 11:286–87n.3, 445–46n.1.

[3] For the continuation of these proceedings, see the committee's minutes, February 12, 1779.

Richard Henry Lee to Arthur Lee

My dear Brother, Freestone point Virginia Feby. 11. 1779[1]

As well as the shortness of my time will permit, I will give you the best detail in my power of things here since I wrote you fully by the Marquis Fayette of the state of our politics and parties.[2] The wicked intrigues which you experienced from a certain set, and of which you have so often and justly complained, have been practiced here to a still greater and more extensive mischievous length. The Tories avail themselves of it, and they are to a Man [on] Deane's side, hoping thereby to injure and deprive us of influence whose determined will and capacity to injure their cause they well know and fear. Deane's party in short rests on triple ground.

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The first and most considerable is Toryism, the second and next most considerable is Commercial plunder, the third is Ambition. These last are few in number, but artful, intriguing, and want now, when our affairs look well, to come into yours & our b.[3] Williams places, which they would not have dared even to have accepted before the late happy change of our affairs, by the Alliance with France. Soon after I wrote by Marquis Fayette I left Philadelphia the 3d of Novr. having been between 6 and 7 months from my family and quite worn down with constant attention to public business. As I came [. . .] up to Congress where he[4] has been ever since. After I came away a month, Deane published his Libel of Decr. 5 as you see in one of the papers now sent. The bold and impudent assertions, the dark inuendos, and the art with which the whole is wrought up, had it seems such an effect in Phila. as to excite Tumults there in his favor. And to the Southward here, it had very ill, tho not such violent effects, because there are fewer Tories here to aid its operation. In the enemies quarters the City of N. York it created the most extravagant joy and underwent republication. These Intriguers who are wickedly working their own private benefit, do infinitely more injury to the common cause than all the power of our enemy can effect. Before they came here our business was going on with unanimity and with wisdom, since their arrival discord and faction have reared their baneful heads to the unimaginable injury of our affairs. The affair of Berkenhout, on which this Libeller has insinuated evil against me was the most trifling of all things. The man was a perfect Stranger to me, and came to me solely on the ground of a former acquaintance with my brother. I received him civilly, and he told me he came to seek a settlemen[t] for his family, and asked my advice where he shd. fix. I gave him the best advice I could. He appeared to me most strongly attached to the independence of America, and I did and do believe him to have been honestly so. I do not think we changed above an hundred words together, for I was too much engaged in pub. business. He was arrested on no other ground than a paragraph in an English Newspaper. After this I never saw him. Having detained him in prison a few days they discharged and sent him back to N. York having no evidence to prove anything against him. This is the whole of that affair.[5] The wicked fallacies against you and our b. Wm. you both know. The greater part I know to be abominably false. Deane has since given in a written narrative to Congress in which I am informed his only charges against you are that you are jealous, suspicious, affrontive to all who come near you, that you hate the french, and show it in all your conduct and conversation. Mr. Wm. Lee is mean he says and goes shares with the Agents he has appointed. This latter charge I presume Mr. Lee can, and I hope he will furnish to Congress the most ample disproof of. The charges against you in his Narrative to Congress are absolute jargon the greatest part of them. His printed libel against you, it may be highly proper to attend to in every part & get the clearest proof of falsehood where the nature of the thing admits. For in many cases, he deals so in inuendo, that a kind of negative proof, impossible to be produced, can alone refute him. For too many people are inconsiderate enough not to demand proof of him for such charges before they credit them. He & his party are now working to get him to Holland and themselves in your places. What may be their success God only knows. I am now on my way to Congress having been long detained at home by excessive bad weather and the Gout. Deane affirmed to Congress upon his honor that he was not engaged in Trade, nor had been except in two small ventures at first which turned out to loss. It might be very important to have his commercial connections clearly developed and proved. I have sent to the Virginia Press the other day a vindication of you & our b. Wm. against Deane's Libel wherein I have disproved some of his charges from original letters. I hope this will have a good effect. All sensible Whigs in this Country, and now the herd of Mankind, begin to see clearly into Deane & his party. But he has a very strong and a very Artful party in {Congress}[6] and by means of commercial connections a considerable {party} in almost every {state}. In the eastern States where he is well known he has by far the fewest supporters. Indeed he has very few there. Those people are wise, attentive, sober, diligent & frugal, which are qualities not fit for Deanes purposes. His principal {abettor}s are from {New York} and some [. . .]nd from Pen——a and almost all from {Maryland}. For which purpose [you] may imagine C——r——l {was sent} to {Congress}.[7] It does not [app]ear to me that the publications of Common Sense in Deanes affair merited all that *high* resentment shewn to it. The honest writer had in view to disrobe Deane of the gaudy vest he had assumed as being the sole author and procurer of all the Supplies that came here in 1777. But you see that under this it has been so contrived as to get a general condemnation of all his publications on this subject. Altho the far greater part relates solely to Deane, and many honest truths are told and properly pressed. It wounded the party very deeply I fancy, and there was no other way to prevent the public effects it would certainly have had otherwise. And will yet in a great degree, for I am informed that the people here do by no means agree with Congress in their general condemnation of these papers. As for the noise about its being said that the United States might make treaty with England with[ou]t the consent of their Ally if war was not declared—I do not believe that any one Man of sense, or member ever said or thought anything like it. Tis mere pretense. For myself I know that I would sooner cease to live than I would agree in any manner or for any pretext to desert our Ally for whom I feel infinite gratitude and reverence. You know perfectly well how long and how ardently my Soul has panted after this connection with France. Perhaps there was not another man in America so enthusiastically strenuous for the measure as myself. Indeed as Shandy says it was my Hobby Horse. And now a pack of rascals would insinuate (for their private purposes) that I would injure the measure I have been so uniformly and so warmly promoting. Two days ago I recd. your letters of 6 & 29th Septr. & 14 Novr. & our brothers of 15 & 21 of October. That

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is one copy of each. I understood there are letters for me from you both at Philadelphia with F. L. L. I have not time now to write to Mr. Wm. Lee. Therefore I pray you to give him the contents of this letter, and tell him we will consider maturely about selling his estate. I do not think it will now be done. We have not yet indeed received his powers—[. . .] continues. He has put about 2200 pounds of our brothers money in the Loan Office. The Tobo. of last year is not yet sold. The Loan Office certificates are transferable and do pass in circulation. They [are a] very vendible commodity. The pub pays the principal in 3 years and t[he] interest of 6 pr. Cent annually. But a tax in our State takes off one pr. Cent on the interest both in the Loan Office & all other interest. I will write again by the first opportunity, but I could not omit this, which I believe to be a good one, as Capt. Robinson is a most worthy Man, and is a Captain in the Continental Navy. We are filling up our Regiments and preparing for another Campaign. We hear that since the repulse at St. Lucia, the Count D 'Estaing has been reenforced and has retaken St. Lucia & taken St. Vincents with four English Frigates. I believe and hope this is true. Admiral Byron has been so long sailed with 9 ships, tis sa[id] for the W. Indies, and not heard of that we begin to entertain h[opes] that some of these high gales of wind, that have been so frequent within these 4 months past, have done his business for him. God of his infinite mercy grant it may be so. Nothing could save the common cause so much as stopping these abominable intrigues and factions here. And as Mr. {Gerard} has much {influence with} the {intriguers}[8] if [they] were {instruct}ed to {discontinue} it, a very happy consequence wd. f[ollow].

For my part, I see so clearly that the Man who serves the public honestly has so many enemies and persecutors, and I am so worn down in the public service that I am resolved to send my resignation to our Assembly next April. My family suffers immensely by my absence, and I have now 7 children and another coming to take care of. Let Ludwell come as soon as you think him qualified to pu[rsue] here the study of the practical part of the Attorneys business and to in[form] himself of the Municipal law of this State—I mean when his foun[datio]n is well laid. Propose to my brother Wm. to send Thom, if he approves and thinks the expence will be warranted by the prospects, to settle an acquaintance in Holland & the ports of France, perhaps Spain, so as to get consignments when he returns here qualified, which I wish may be soon as possible. He should be impressed before he goes on such a Tour, if he does go, with the necessity of much gravity, sobriety, and attention to business wherever he is—And to take Memorandums of their Trading customs wherever he goes.

I am most affectionately and faith[fully] yours.

R.H.L.

P.S. Take all imaginable pains effectually to vindicate your own char[acter].

It would be of infinite consequence to get the Dutch into our Alliance and the acknowledgment of our Independence.

Mrs. Lee of this place desires love to her Aunt and to hear from her. Colo. H. Lee would be glad you could drop . . . a letter with a State of Deanes misconduct which he will promulgate. Send me some more Bark and tell Mr. Wm. L[ee we] shall suffer greatly at Chantilly witht. 4 pieces of Shirting Linnen.

RC (MH-H: Lee Papers).

[1] Lee was en route to Philadelphia, where he resumed his seat in Congress on February 20. See *JCC*, 13:214. The previous day he wrote a letter to Gov. Patrick Henry, from "Belleview," which is in the Roberts Collection, PHC; and Lee, *Letters* (Ballagh), 2:27–28.

[2] See Richard Henry to Arthur Lee, October 27, 1778.

[3] That is, brother.

[4] The antecedent reference is probably Francis Lightfoot Lee, who was apparently mentioned in the passage torn from this sentence in the manuscript. Burnett conjectured that the original sentence might have read "As I came [*down I met our brother Frank going*] up to Congress where he has been ever since." Burnett, *Letters*, 4:65.

[5] See Richard Henry Lee to William Maxwell, August 29, 1778.

[6] Words printed in braces in this text were written by Lee in cipher.

[7] That is, William Carmichael.

[8] RC damaged; the surviving legible digits and the meaning of this sentence suggest that Lee here wrote "intriguers." For the cipher used by the Lees, and the conjectural element involved in deciphering their correspondence, see these *Letters*, 9:654n.2.

Oliver Ellsworth to John Lawrence

Sir, Philada. Feby. 12. 1779.

Finding by a late letter from Mr Sherman that you was out of loan office certificates, I have procured a supply to be sent you by the hand of Mr West; for which I have given my rece't to the Treasurer of Loans.

Certificates are in great demand. They have been issued to the amount of two million dollars in this State only, since the late resolutions of Congress respecting the Currency.

The Currency I hope will survive, notwithstanding all the fears that have been about it & the many arts that have been practiced upon it.

Late dispatches from Europe furnish us with intelligence highly interesting & favourable to America—but I may not be more explicit.

I am Sir, most respectfully your obedt. hume. Servt. Oliv Ellsworth.

RC (CtHi: Hoadley Collection).

[1] Lawrence was the commissioner of the Continental loan office in Connecticut. See these *Letters*, 6:34n.1.

John Fell's Diary

Fryday Feby 12th [1779]

Commercial Committee. Congress. Letter from R Curson and others at Baltimore referr'd to the Marine Committee. Leiut Hales Letter.[1] Genl.

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Polaskas Letter to Recruit his Infantry to their full Establishment not agreed to.[2]

MS (DLC).

[1] For the case of Lieutenant Hele, see John Jay to Christopher Hele, February 16, 1779.

[2] In responding to a query from the Board of War on the meaning of a February 4 resolve concerning Casimir Pulaski, Congress declared this day that he was authorized to recruit the infantry of his corps only "to their original establishment." See *JCC*, 13:143, 179, 181; John Jay to Gerard de St. Elme, February 16, 1779, note 2; and Washington, *Writings* (Fitzpatrick), 14:79.

Foreign Affairs Inquiry Committee Minutes

Feby. 12th 1779

Present Whipple, Elsworth, Duane, Searle, Paca, McKeen, Laurens.
Continuation of Mr. Deans Narrative.
Finished the narrative.
Read some of the Instructions.[1]

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of William Whipple.

[1] This is the final entry of any substance in Whipple's minutes of the committee's proceedings. His entry for February 15, which concludes the section of the minutes that are known to have survived, reads simply: "Present Whipple, Elsworth, Fell, Duane, McKeen, Laurens, Langworthy."

Henry Laurens to Rawlins Lowndes

Dear Sir 12th February [1779]

Colonel L'Aumoy the Gentleman who will have the honor of presenting my present respects to Your Excellency, is ordered by the Commander in Chief to South Carolina to act under General Lincolns orders in the Southern Department in the Corps of Engineers, from his rank he will take the command of that branch.[1]

Colonel L'Aumoy is highly esteemed in the Army for his bravery and skill as an Officer, and his manners as a Gentleman. I flatter myself with an assurance that I have done my Country service by the acquisition of his abilities, more especially from this consideration that as he is well acquainted with our Sea Coast, he will be able to apply them more immediately to good effect than an Engineer of equal skill, but a Stranger to our Country, would be. I beg leave Sir to recommend him to your countenance and protection.

I have the honor to be &c H.L.

[*P.S.*] A Schooner loaded with about 18 Tons of Military Stores, which the Commissary of that Department has consigned to the Commanding Officer of the Southern Department and in his absence to the President or Governor of South Carolina will sail for Charlestown tomorrow.[2] I have most earnestly urged in Congress the immediate departure of Count Pulaski and his Legion, but they are still detained for adjusting old Accounts. I think the Paymaster might remain for that purpose and another appointed pro tempore; but we move no faster than we would do if the Southern States were in perfect peace and safety. The Count is as anxious for his departure as I am.

Nothing yet done respecting an application to Count d'Estaing, I mean the indirect application intended to be made not yet gone forward, nor indeed the former reported.[3] Your Excellency and all our distressed friends will judge of my feelings by your own.

I sent a packet of Newspapers including the 13th.

Tr (ScHi: Laurens Papers, no. 16).

[1] For the original appointment of Jean-Baptiste-Joseph, chevalier de Laumoy, as colonel of engineers and his present assignment to the southern military department, see these *Letters*, 8:71, 284; *JCC*, 9:932; and Washington, *Writings* (Fitzpatrick), 14:78.

[2] Congress had ordered this shipment on February 8, and the order had been communicated to the commissary general of military stores, Col. Benjamin Flower, in the following letter of the same date from President Jay. "You will receive herewith enclosed an Order of Congress of this day for shipping a certain Quantity of military stores to South Carolina." *JCC*, 13:151; and PCC, item 14, fol. 46.

[3] Lauren's suggestion that an "indirect application" to d'Estaing was yet in contemplation is interesting in view of the fact that Congress on February 8 had expressly resolved "That it will not be expedient to make the proposed application for aid to Count d'Estaing." *JCC*, 13:153. Although such a request was still being contemplated, it was apparently being designed to appear that the initiative for it was coming from South Carolina and Georgia, not Congress.

James Lovell to Benjamin Lincoln

Dear General Feb. 12th. 1779

I never think of your Situation but it puts me into a State of Mind very unfit for writing to you. The unprovided Situation of the Department in which you command was always in my Expectation;[1] notwithstanding what I heard said to the contrary. All our movements are months too late. Had you been on the Spot to have reconciled contending Interests among the People of the two invaded States before the foreign Enemy arrived you might have so checked the first Invaders that they would not have been able to cooperate as now with the Troops from New York. But, why should I now talk of Ifs. What is to be done as Matters now are? I think you are not in a Condition to do much if any thing for Georgia the Enemy having such Facility of transporting themselves to your Rear and injuring Carolina in your Absence. I am astonished that Water craft have not been provided by that Government in abundance. You must take up the Practice of a more eastern General than yourse[l]f call largely for Men & Stores, and in case you are not well supplied with both, you know where

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to shroud your Reputation. I fear you must set about making yourself practically master of *retrograde Manœuvres*. May Winds & Weather prove favorable to the Transportation of military Stores from hence. I do not Know whether you will be made acquainted with the Intelligence which I am enjoyned to keep secret, tho nothing has been more common than such doings since I have been on the great political Floor. I leave the Communication to my betters as their priviledge. But in the mean Time I will go so far as to tell you that I myself think that Fabian Principles will now carry us through. Great Springs are at work for us in Europe but we must not yet go to sleep ourselves. We must at least watch, if we do not pray and fight. Our Arrangement of the Army is not yet compleated; and what you left me in Memorandum has been enforced so much as that some are willing to drop 3 Battalions of our 15 but then all the other States will expect to fall in proportion so as to make the army too small. This has delayed a Settlement of the Quotas, but it must absolutely be determined in a day or two. This Bay & Cheseapeak are sadly infested by Privateers; but we daily expect a Force from the Eastward to repulse them. I am dear General, your friend & humble Serv.

James Lovell

RC (MiU-C: Miscellaneous Manuscripts).

[1] General Lincoln, in a January 10 letter to the Massachusetts delegates, had complained of the shortage of supplies in South Carolina and charged that the civil authorities had withheld supplies so that they could retain a measure of control over his predecessor Gen. Robert Howe. Lincoln Papers, MHi.

South Carolina Delegates to Rawlins Lowndes

Sir 12th January [*i.e.* February 1779][1]

In obedience to Your Excellency's requisition for Military Stores to be sent by water, we have made application to Congress for them and the means of transportation. As many stores of Musket, Powder & shot, from Buckshot to 6 pounders, were ordered to be Shipped in this Port for South Carolina as the Magazines here could with propriety spare. And about 18 Tons of those Stores are shipped in the Schooner Count D'Estaing which brought Your Excellency's letter of the 15th of January to the Honble Mr. Laurens. A larger quantity of these Stores would have been shipped in this Vessel could she have carried them, but we shall endeavour to find some opportunity of sending forward what remains here of the quantities ordered.

We are with great Respect, Sir, Your Excellency's Most humble, And Obedient Servants, (Signed)

Henry Laurens

W. H. Drayton

Richd. Hutson

P.S. Inclosed Your Excellency will find a general Invoice of the Stores on board the Schooner. The Commissary of Military Stores received Mr.

Laurens direction to take proper Bills of Lading, one of which we suppose he has sent in this Letter.

Tr (ScHi: Laurens Papers, no. 16). The location of this document in a Henry Laurens' letterbook suggests Laurens' responsibility for drafting it.

[1] From internal evidence it is obvious that this letter should be dated February 1779.

Thomas Burke to Thomas Hart

Dr Sir,[1] Philadelphia Feby 13th. 1779.

By Joseph Sharp Junr. who has Just now given me Notice that he is setting off for Hillsborough in a few Hours, I take an Opportunity of writing you a Line, and inclosing you the News papers for some days past. In them you will find all the News which *I can at present communicate.*

I am in the most disagreeable State of Anxiety for want of hearing from home, not a Single line has reached me yet, and Silence never could distress me more. I do not know whether I shall be here long enough to receive a letter which may be written after this comes to your hands. I have every wish, and some expectations of being relieved, and hope the Assembly have taken for that purpose the Necessary Measures—at all Events I mean to set off for home on the 15th of March if I can do it consistent with the public Service. This however is at present little more than Speculation. You know whether I am relieved or not, if I am not pray write me a line. If I am, I shall myself lose no time in returning home.[2] I must take part in a debate that is now agitating, and therefore am obliged to conclude.

I am Dr Sir, yours very truly, Tho Burke

RC (NN: Emmet Collection). Endorsed by Thomas Burke, apparently when it was transcribed into the "Governors' Letter Books," Nc-Ar: "Feb. 13th. 1779. Letter to Some person at Hillsborough Supposed Coll Hart."

[1] Probably Thomas Hart, a lawyer and large landholder from Orange County, N.C., who with Burke was associated with Judge Richard Henderson's schemes for speculating in western lands, which included formation of the Louisa Company and the hiring of Daniel Boone to lead settlers into a Transylvania tract purchased from the Cherokee Indians. See John Watterson, *Thomas Burke*, pp. 41, 107-9.

[2] Burke remained in Philadelphia until August. The North Carolina Assembly did not elect a slate of delegates to Congress at its January-February 1779 session, deciding instead simply to enlarge the delegation by electing two men, Joseph Hewes and William Sharpe, after the recent resignation of John Williams. *N.C. State Records*, 13:687-88, 691.

William Henry Drayton to George III

W. H. D. to the KING of GREAT-BRITAIN.

Sir, Philadelphia, February 13th, 1779.

Your royal voice to your Parliament, on the 27th of November last, has at length reached the ears of Freemen on the western shore of the Atlan-

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tic:[1] And, those Freemen are convinced, it is a sound very different from the roaring of a Lion, when Lashing his nervous tail, and bristling his shaggy mane, he means to display the "most active exertions," "against all his enemies." Accustomed, Sir, as you have been, to have your most gracious speeches most humbly echoed back to your flattered ear; it is time that you should receive the observations of Freemen. As a Freeman, I therefore take the liberty, Royal Sir, to give my sentiments upon your late speech to your Parliament.

You begin with telling them, that "you have called them together in a conjuncture which demands their most serious attention." But, as that most serious attention was, by the necessity of your affairs, always demanded, as often as you have called this Parliament together, to what purpose has your Majesty now pronounced an entire sentence, in which there is nothing new, but its existence; and in which there is nothing instructive or informing? Without doubt, it was to convince them by your first words, that you did not intend to say any thing of importance: and, your Majesty's speech well warrants this conclusion from its first sentence.

The speech proceeds—"In the time of profound peace, without pretence of provocation or color of complaint, the Court of France hath not forborne to disturb the public tranquility, in violation of the faith of treaties, and the general rights of sovereigns, at first, by the clandestine supply of arms to my revolted subjects in North-America; afterwards, by avowing openly their support, and entering into formal engagements with the leaders of the rebellion, and, at length, by committing open hostilities and depredations on my faithful subjects, and by an actual invasion of my dominions." Permit me, Sir, to consider these positions separately.

When a war actually existed between America and Great-Britain, and of such a nature too, as interested all the world in its consequences, and particularly France; and, when at the same time, the Imperial and Prussian forces had actually taken the field, and all Europe was arming by sea and land; to call such a time, a "*time of profound peace*," is certainly not to speak so as to be understood—nay, it is absolutely to misrepresent the fact. But, I will give the conjuncture its proper description, and examine in what light your Majesty's complaint will then stand. According to such description it will stand thus.

In a time of a dangerous war, which I had commenced; and which, in its consequences, involved the interests, and if I succeeded, threatened the very safety of France, that Court authorised by the law of nations and the general rights of sovereigns to take measures for her security, without pretence of provocation, or colour of complaint, hath not forborne to disturb the public tranquility, by, among other acts and doings, committing open hostilities and depredations on my faithful subjects, and by an actual invasion of my dominions.

Now, Sir, admitting such hostilities, depredations and invasion to be true, yet, they being made in the conjuncture I have accurately described they certainly were not committed *without pretence of provocation, or colour of* *complaint*, as your Majesty asserts they were: nor, *in violation of the faith of treaties, and the general rights of sovereigns.* For, in the first place, your Majesty had kindled and was then actually prosecuting a dangerous war, which put the safety of France, or at least her interests at hazard. Secondly, no treaty which you had formed with France, forbad her to take measures against that hazard. Thirdly, France by taking such measures, and, the open hostilities, depredations and invasion of which you complain, may be such measures, not only did not violate, but actually and vigorously did maintain and exercise the general rights of sovereigns under the law of nations, as laid down by Grotius, Puffendorf, and every other civilian. And, Fourthly, the King of Prussia's conduct, supported by the Crown of Great Britain, in invading Saxony, and then obliging the Saxon army to lay down their arms at Pirna, before the King of Poland, Elector of Saxony, had committed hostilities against his Prussian Majesty, demonstrates the practice under the law of nations in the conjuncture I have described, and justifies the conduct of the Court of France in committing, aye, Sir, and in commencing, as I shall more pointedly shew, had France done so, hostilities on the faithful subjects and invasion of the dominions of Great-Britain. But, Sir, Sir, when you had on the 18th and 19th of June last, by force of arms captured the Licorne and the Pallas, frigates belonging to the Court of France; and that it was *after that period*, that that Court first committed "open hostilities and depredations on your faithful subjects," and made "actual invasion of your dominions," it seems somewhat singular that you should have the boldness, in the face of the world, to charge the Court of France with having committed open hostilities and depredations on your faithful subjects, and with having actually invaded your dominions *in time of profound peace*, thereby *disturbing* the public tranquility, and violating the faith of treaties and the general rights of sovereigns, *without pretense* of provocation, or *colour* of complaint!

As to the clandestine supply of arms by the Court of France sent to the people in North-America, before, as you have stated, the formal engagements between France and the United States; I have no reason to think that your Majesty has proof on this point. The Congress know of no such supply; and to be sure, they, to whom you are pleased to say such supplies were sent, are to be thought to know, at least, as much of this matter as your Majesty. But, Sir, be pleased to hear what they say upon this subject. They unanimously declare, "That His Most Christian Majesty, the great and generous ally of these United States, did not preface his alliance with any supplies whatever sent to America."[2] However, your Majesty "hath not forborne" to pronounce to the contrary.

Nor can the Court of France entering into formal engagements with Congress at the time she did, tend to criminate that Court, on the charge of violating "the faith of treaties, and the general rights of sovereigns." First, because no treaties subsisting between your Majesty and the Crown of France, precluded that Crown from entering into formal engagements with an independent nation. Secondly, because the engagements of which

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you complain were entered into by France, with an independent nation in the full possession and exercise of sovereignty—a compleat sovereignty which had existed for nineteen months, immediately preceding those engagements.

Nor was the object of those engagements, a violation of the faith of treaties and the general rights of sovereigns. First, because the object was not to interrupt the peace subsisting between France and Great-Britain, but only to repel the war, if you should commence it upon France; and to continue it, until the independence of the United States should be secured by the treaty which should restore peace. Secondly, because the United States, with whom those engagements were contracted, were at the time, free, sovereign and independent, and had been so for nineteen months before; and you were not, under the laws of nature and nations, entitled to their allegiance and government. And, Thirdly, because the general rights of sovereigns, so far from incapacitating, absolutely authorised His Most Christian Majesty to enter into those engagements, such as they were, at the time he did.

Thus, may it please your Majesty, notwithstanding your assertions to the contrary, it is clear to a mathematical demonstration, and your Majesty knows nothing can be clearer, that the Court of France did not *"disturb the public tranquility,"*—nor violate *"the faith of treaties and the general rights of sovereigns,"*—Nor send a *"clandestine supply of arms to North-America."* Nor did she commit *"open hostilities and depredations on your faithful subjects, and actualy invade your dominions,"* until *after* you had actually commenced the war against her, by capturing the Licorne and the Pallas, two of her frigates.

Indeed, so far was the Court of France from even wishing "to disturb the public tranquility," existing between her and the Court of Great-Britain; or to violate "the faith of treaties and the general rights of sovereigns," that five weeks after she had entered into those engagements of which you complain, she caused her Ambassador, the Marquis deNoailles, among other things to declare to your Court, that "the United States of North-America who are in full possession of independence as pronounced by them on the 4th of July, 1776, having proposed to the King to consolidate by a formal Convention, the connection begun to be established between the two nations, the respective Plenipotentiaries have signed a treaty of friendship and commerce, designed to serve as a foundation for their mutual good correspondence.

"His Majesty being *determined to cultivate the good understanding subsisting between France and Great Britain* by every means compatible with his dignity, and the good of his subjects, thinks it necessary to make this proceeding known to the Court of London, and to declare at the same time, that the contracting parties have paid great attention not to stipulate any exclusive advantages in favor of the French nation; and that the United States have reserved the liberty of treating with every nation whatever, upon the same footing of equality and reciprocity.

"In making this communication to the Court of London the King is firmly persuaded she will find new proofs of his Majesty's constant and sincere disposition for peace; and that his Britannic Majesty animated by the same sentiments, will equally avoid every thing that may alter their good harmony."

This friendly and magnanimous declaration, bore date the 13th of March last; but what was your Majesty's conduct thereupon? Why, on the 17th of the same month you sent a thundering message to your Parliament, acquainting them of this declaration—that you had sent orders to your Ambassador at the Court of France to return from thence—and that you was "determined to be prepared to exert, if it shall become necessary, all the force and resources of your kingdoms" against that nation. Thus, Sir, by withdrawing your Ambassador, and sending that message, you absolutely made a *rupture* in your good understanding and correspondence with France; and cut off the very means by explanation, of preventing open hostilities being *instantly commenced* against you by that Court, in consequence of your message to your Parliament, declaring to the whole world your resentment, and that you reserved to yourself *to judge of the time when* you would exert "all the force and resources of your kingdoms" against her. Now, I say, in this situation of affairs, France was under no obligation to sit still, until you had *matured* your preparations to exert "all the force and resources of your kingdoms" against her, when it might be too late for her to resist them. On the contrary, the law of nations, "the general rights of sovereigns," and the example of the King of Prussia in his invasion of Saxony, as I have already mentioned, clearly, fully and decidedly authorized the Court of France, instantly to commence open hostilities against "all the force and resources of your kingdoms," to incapacitate you from "exerting" them against her. And had France done so, as she did not, her right to do so, must have been acknowledged by all the world. However, your Majesty, not altogether neglecting the respect you owe to your Royal character and the judgment of mankind, has not charged that Court with *commencing*, but only with *committing* open hostilities, depredations and invasion. This is a fact undoubtedly. But be it also remembered, that that Court committed open hostilities against you, only after you had actually *commenced* them against her. And yet your Royal Majesty "hath not forborne" to declare and to complain, "that in the time of profound peace without pretence of provocation or colour of complaint, the Court of France hath not forborne to disturb the public tranquility in violation of the faith of treaties, and the general rights of sovereigns, at first, by" doing that *which she did not*, "afterwards, by" doing what under the law of nations and the general rights of sovereigns, *she had authority to do*, "and at length, by committing open hostilities and depredations on your faithful subjects, and by an actual invasion of your dominions," *after you* had captured above one hundred sail of French merchantmen, *after you* had actually captured 2 French frigates, attacked a third, the *Belle Poule*,

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and thereby actually made *open war against France*! O! King! what will this world come to!

But, Sir, considering the terms in which you complain of the Court of France, mankind cannot but expect a corresponding conduct on your part: and any dispointment, naturally leads them to reason back from effects to causes. The outrage upon your Crown and honor, of which you so loudly complain, demanded nothing less on your part, than an instant declaration of war. You have made no such declaration, and only one cause, can in the nature of things, be assigned for that silence—you are conscious, that you are not in a condition to enter into a declared state of war with the Court of France. This conclusion is too evident to be masked; and a man must blink and wink indeed, not to see it. Nay, with all your Royal caution, you not only cannot conceal it, but you cannot avoid expressing it yourself. Having rashly pronounced a Philippic against the grand monarque, feeling your internal weakness, and too late sensible of your temerity, you immediately, in your next words, declare that you are "desirous to see a restoration of the blessings of peace." How are the mighty fallen! You evidently tremble at a view "of other powers, however friendly and sincere their professions, however just and honorable their purposes." Nor, seated on your throne, clad in your Royal robes, surrounded by your nobles, and encompassed by your guards in your very capital, do you presume to name the powers you fear! You, Sir, who would have shackled America, at length dare not exercise even the freedom of speech; least you offend powers and accelerate attacks, which in an agony, you know you cannot resist or repel! Nay, they even *look* you into silence!

May it please your Majesty, how has it happened, that you say so little as you do of North-America! You just scatter nine and thirty words among the Thirteen United States. Three words to each are but small marks of your Royal grace and favour. But perhaps as you are a pious prince, you had in view the thirty-nine articles of the church of England, and you regulated yourself by that scale. Or perhaps you have now reserved yourself on the subject of North-America, that with the better grace you may be more explicit and at large in the treaty which is to terminate the war and secure the independance of the United States. It is time your Majesty considered the affairs of this continent upon a more *liberal* footing, than you have yet done. Nor is it of any consequence to tell your Parliament that "it would have afforded you very great satisfaction to have informed them that the conciliatory measures planned by the wisdom and temper of Parliament, had taken the desired effect and brought the troubles in North-America to a happy conclusion." They were in no doubt upon that point as they knew those measures were really planned by your Majesty. Mr. Fox, in your House of Commons, expressly in answer to your Royal speech, declares they were not planned by Parliament.[3] Nay, he avers "it was a libel against Parliament to charge them with" those measures. Your Majesty, no doubt must remember the principles upon which Solomon adjudged the child to one of the two women who claimed it. Upon the same principles do I determine between your Majesty and Mr. Fox. You speak of those measures with all the feelings of a parent. Mr. Fox, as a member of Parliament, shews not the least degree of tenderness for them. It must be, Royal Sir, a little disagreeable to your Majesty, to find yourself in a litigation, in which the principle of judgment is so pointedly against you, and drawn from so high an authority as not only the wisest of kings but of mankind.

But to return. Just as you enter upon this great subject of North-America, you at once stop short as if sick of it. So, a timid patient who must undergo an amputation of his right arm; reluctantly extending it to the knife, stops short to procrastinate the painful moment in which he is to lose his most precious limb. But Sir, the situation of your affairs calls "so loudly upon you for your most active exertions, that I cannot doubt of your heartiest concurrence" in the necessary, though to you, painful operation of amputating America from Great-Britain. For this salatary purpose the deficiencies in your Majesty's speech ought to be supplied. Send a message to your Parliament and tell them that your fleets and armies are unable to recover to you the dominion of the United States—that your Commissioners have returned equally unsuccessful in the same attempt—that the United States set at defiance, "the vigour of your Councils and the conduct and intrepedity of your officers and forces by sea and land."—that France has made common cause with the United States against you—that you firmly believe Spain and the whole house of Bourbon will do the same before the next campaign—that you have not been able to form any connection with Russia, Prussia, Holland or any other power, so as to render you any thing near a match against the apparent union against you,—but I beg your Majesty will excuse me for thus inadvertently advising an unnecessary clause. Upon a second thought I am clearly and decidedly of opinion, that you may altogether omit this last head, as Mr. Townshend[4] and Mr. Fox in your House of Commons, positively declared, that you had not "formed Continental connections;" and Lord North in the same place confessed that he had not advised "subsidiary connections." Besides it is known that at the end of summer 1777, the Empress of Russia rejected your application for a body of her troops, with such *disdain* that your Ambassador at Petersburgh retired from the court, 'till he received instructions from London; and also that a subsequent application from your Majesty to the Empress, that her fleet should act in strict conjunction with your's, met with so dilatory an answer as prevented a renewal of the application. In a word, it is so clear and your Parliament are so satisfied that you have no prospect of aid from Russia, that your Majesty need not be at the trouble of saying one word to convince them of it. Indeed your very silence upon that subject in the

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present dangerous crisis of your affairs, is more pointedly convincing than any words you can possibly use.

Your Majesty may also say in this message which I have the honor to advise, that on one of the last days of October, or on one of the first days in November last, I forget which, but it is not material as your Majesty knows the day, Count d'Almadover, the Spanish Ambassador at your court, by order of his master delivered to your Majesty a REMONSTRANCE of a very serious and decisive nature; but there is no occasion for you to be at the trouble of being more particular on that subject, as I presume His Most Catholic Majesty will in due time in more *forceable* language than you have at command, notify to your Parliament and the world the independent tone of that important remonstrance. And I would advise your Majesty to conclude this weighty message, with assuring your Parliament that "by the blessing of God," upon the United States and their alliance, you have no "means of vindicating and maintaining" the remnant "honor of your Crown and the interests of your people," but by agreeing to the independance of those United States and satisfying their good and great ally, for the "injurious" aggression you have made upon him. Considering your Majesty's habit of body and state of mind, I am sensible that this is a harsh prescription; but, may it please your Majesty your case is desperate, and it is absolutely necessary to your existence and future "security."

You are pleased, Great Sir! to confess that your "efforts have not been attended with all the success which the vigour of your exertions seemed to promise," that "the extensive commerce of your subjects has been protected," *only* in most of its branches, and that you have "called forth your militia to assist in the interior defense" of your seat of government. Thus confessing the failure of your efforts, the loss of a great part of your commerce, and that you are so hard pressed as to arm your militia *"to assist"* in the defence of your capital; can you, Sir, be so contradictory to yourself as to continue in the vain pursuit of conquest abroad, beyond the Atlantic, and in a region in which you have in this pursuit lost whole armies, and sunk millions of treasure! Twelve months ago your Majesty's first Commissioner of your treasury, and Governor of your House of Commons, declared aloud, that your kingdoms could no longer furnish men or money for the American war; nor is it within the scope of the warmest imagination to suppose, that they are now more competent to produce those means of conquest. You have, Sir, received the ultimatum of the United States. If you deliberate long upon it, you may be lost. Already your throne totters under your Royal person. Your Majesty has deprived your Crown of that gem which irradiated your brows with glory; and you will do well in time to reflect, that that conduct which has disfigured your Crown, will, if pursued, destroy its existence. Farewell.

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, February 18, 1779.

[1] George III's November 26, 1778, speech to Parliament was published by John Dunlap as a broadside under the dateline "Philadelphia. February 6. Two o'Clock, P.M." Dunlap

explained that he was reprinting it from a copy of the *London General Advertiser and Morning Intelligencer* of November 27, 1778, which had been sent to Maryland delegate John Henry by Samuel Chase at Annapolis. See Evans, *Am. Bibliography*, no. 15,836.

Drayton, however, probably had access to Henry's copy of the *General Advertiser*, or another circulating in Philadelphia, for he also quoted from speeches by members of the House of Commons attacking the king that Dunlap had not printed. The speech of George III and the debates in both houses of Parliament on the addresses of "Thanks" customarily returned to the crown on such occasions are more conveniently available in *The Parliamentary History of England, from the Earliest Period to the Year 1802*, 36 vols. (London: T.C. Hansard, 1806-20), 19:1277-1376.

[2] For this January 12, 1779, resolve of Congress, see *JCC*, 13:55.

[3] For Charles James Fox's denunciation of the king's speech, see *Parliamentary History of England*, 19:1322-30

[4] For Thomas Townshend's remarks, see ibid., pp. 1321-22.

John Fell's Diary

Saturday Feby 13th 1779.

Commercial Committee. Congress. Coll Hartleys Resignation accepted. Resolv'd that Congress have a high Sence of the Services renderd his Country. Great and long debates about the Mode of Receiving Mr Gerard to a Conferrence agreed to be on Monday 1 oClock in Committee of the whole House. Dined with Mr R Morris.

MS (DLC).

John Jay to Noirmont de La Neuville

Philadelphia 13th Feby. 1779

The President of Congress presents his Compliments to Monsr. Noirmont De la Neuville, & transmits to him enclosed a Copy of an Act of Congress of the 10th Inst. on the Subject of his Letter of the 9th Inst.[1] The Secretary of Congress will, on Application deliver to Mr. De la Neuville the certificate mentioned in his Letter.

LB (DNA: PCC, item 14).

[1] For Congress' resolve granting Major Noirmont leave to return to France, which he requested following his failure to obtain promotion to lieutenant colonel, see *JCC*, 13:143-44, 159. His disappointment was apparently soon overcome, however, for he subsequently requested and was granted permission "to serve in his present rank in the southern army." See Jay to Noirmont, April 4, 1779; and these *Letters*, 9:549n.1.

Daniel Roberdeau to Joseph Reed

Philada, Feb. 13th, 1779.

Sir,

Congress have now under Consideration the report of the Committee of appeals. On this important Subject the Delegates of this State would be

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best copy available

glad of your advice, which I am desired to ask on their behalf.[1] & am, Sir, Yr most obt hum. Servt, Daniel Roberdeau.

P.S. We can put off the Business in right of the State if advised.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:192.

[1] For Pennsylvania's interest in the case of the sloop *Active*, see Committee on Appeals Decree, December 15, 1778; and Committee of Congress to Joseph Reed, January 26, 1779.

William Ellery to George Washington

Sir, Philadelphia Febry. 14th. 1779

I very lately received a letter from Col. Green's inclosing an arrangement of his battalion. Agreeably to his request I laid it before the board of war, and am informed that the papers respecting it were transmitted to your excellency.[1] This, and the finishing the arrangement of the Army being committed to you, render it, I presume, not improper that I should inclose both the letter and arrangement to you, as I now do, and am with great respect, Yr Excellys most obedt. hble Servt.

William Ellery[2]

RC (NNPM: Signers of the Declaration).

[1] For Washington's April 4 letter to the Board of War on the subject of arranging the two Rhode Island regiments, in which he enclosed a letter from Christopher Greene confirming the colonel's satisfaction with the arrangement of his battalion, see Washington, *Writings* (Fitzpatrick), 14:333–34.

[2] Ellery also wrote the following brief letter to a friend, who has not been identified, on February 17. "Inclosed is a letter from our friend Stephen Collins respecting some little articles which were sent to Mrs. Collins from New York by a Mrs. Whitsbread. As he is a good friend to his country, and this cannot by any means be considered as a commercial business I can not think there will be any difficulty about returning the Articles. By interesting yourself you will oblige him, Mrs. Collins, and Yr hble Servant, Wm Ellery." Norton Collection, OClWHi.

William Carmichael to Thomas Harwood

Sir[1] Philadelphia Feby. 15th 1779

His Excellency inclosed the Delegates your Letter of the 5th of Feby. which I have laid before the board of treasury for their consideration.[2] A Multiplicity of important business hath hitherto prevented them from coming to any decision on its contents. I shall not cease to urge the board to acquaint you with their sentiments, which I hope will be done next post or sooner if opportunity offers.

I am Sir, Your Humble Sert. Wm. Carmichael

RC (MH-H: bMS Am 1649.5). Tr (Burnett, *Letters*, 4:68–69). RC damaged; missing words taken from Tr.

[1] Harwood was commissioner of the Continental Loan Office in Maryland and the state's treasurer of the western shore.

[2] Harwood's letter is not in PCC, but it apparently concerned the procedures by which new Continental emissions were to be put into circulation and those of May 1777 and April 1778 were to be retired in keeping with Congress' resolves of January 1 and 2, 1779. See *JCC*, 13:11, 21-22; and *Md. Archives*, 21:323, 368. See also John Henry to Thomas Johnson, this date.

William Henry Drayton's Notes of Proceedings

Monday, February 15, 1779.

He[1] informed the Committee[2] that his master, actuated by the most friendly regard to the United States, had ordered him to acquaint them that a great revolution had taken place in Great Britain respecting the question of their independence; that there had been a great party in the Cabinet Council of that nation in favor of that independence; that they were willing to grant that independence with certain conditions; that those conditions were somewhat similar to those proposed by the late commissioners; that they principally respected a kind of Federal Union, such as that the United States should assist Great Britain in her wars; that, however, this measure had been laid aside, the Cabinet being impressed with the representation of the Commissioners that divisions prevailed among the members in Congress, and between the Congress and some of the States; that by the operations of the Commissioners a foundation was laid upon which discord would arise between the United States and France in the ensuing campaign; that in its operation it would be sudden and critical, and that there was a powerful party against the independence of the United States; that the British Court, as they had always done, propagated and spread these suggestions throughout Europe, and were the more at large in the calumny, that some impressions might remain in consequence of the heat of the calumny; that although his most Christian Majesty paid no attention to these suggestions, yet he most strongly recommended concord without meaning in any manner to look into or interfere in the internal measures of the United States.

That such being the disposition of the Cabinet the beginning of October, the Court of Spain had thereupon taken her final resolution, as expressed by her remonstrance to the Court of London the end of that month, respecting her hostile operations against France, making the independence of the United States the preliminary article to a general pacification; that it was possible this would lead to a general peace, and that the negociations would necessarily be rapid as peace or war must finally be determined upon before the season for opening the campaign came on. That as the Court of France had no object in view but the independence of the United States, if this was to be obtained there was a great probability of peace; but if it could not be obtained, his most Christian Majesty would exert all his powers in the next campaign in prosecution of the war. That the Congress ought to lose no time in appointing a proper person to take a part in the expected negociations; that he should be furnished with ample powers, as well as the desires of Americans as her ultimatum, relax-

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ing in the first as in his discretion he should see fit, the distance being too great, and the crisis too pressing, to admit of applications to Congress for instructions; that the United States should consider their resources and their abilities on the one hand, and the probable advantages and disadvantages arising on the other, by continuing the war; that moderate terms might, perhaps, be now obtained; that the pride of Great Britain was too high, and her abilities too great, to submit to extraordinary demands at present. She might be able to continue the war for some years yet. France desired no aggrandizement by conquest, the Independence of America being alone such a debilitating of Great Britain, as to secure her effectually against the haughtiness of that nation.

That the Court of Great Britain had endeavored to form alliances upon the Continent; that twenty months ago she had applied to the Empress of Russia for a body of her troops for the American service; that she replied she had not been raised to empire by Providence for such a purpose; that she would not send her troops against a people who asked only for justice and liberty; she would not engage in such a bloody work. In short, she answered with such disdain, that the British ambassador retired from Court till he received instructions on that head from London; that these instructions were in such mild terms, that he returned as if nothing had happened; that afterwards he applied to the Empress that her Majesty should act in strict conjunction with the British, and that a large district in America would be assigned to the Empress; but she answered this in such a manner, as discouraged a renewal of the application. That Britain had also proposed to the King of Prussia to loan an army of observation, with the view of collecting to it such forces as were against the interests of the Emperor; that the King, the Emperor, and the Queen of Hungary, had applied to his Master to mediate in the disputes relative to Bavaria; that he being in alliance with Vienna, had not chosen to be alone the arbiter, but had called upon Russia to be a co-umpire, to which the King of Prussia and the Emperor had consented; that the Empress of Russia had desired of the King of France to mediate between her and the Porte; that thus it appeared none of the Great Powers of Europe would take part against France, and that Great Britain was destitute of alliances against his Master; that Spain wished to have the territorial claims of the United States terminated. She wished to have the navigation of the Mississippi shut, and possession of the Floridas; that she disliked the neighborhood of the British in that quarter, who were too restless and enterprising, and preferred that of the United States; that if the war continued, a subsidy might be obtained of Spain in aid of the pecuniary wants of the United States; that this aid was most honorable to protect States to obtain under the mark of a subsidy; that it might at a loose rate call for 6,000 men, when not more than 3,000 would be expected to be embodied for the reduction of the Floridas, to be relinquished to Spain when conquered; that Spain might obtain that territory independent of the States; that if a peace now took place, Spain would have no claim upon the United States, nor would they have any upon the Floridas; that if this subsidy took place, the money might be lodged in respectable private hands in Paris, and if prudently managed would give the States a credit in Europe equal to their wishes; that at all events the United States should exert themselves to prepare for another campaign, and put on the appearance of aiming at more than they meant to strike at; for such an appearance would accelerate the negociations, especially if the United States could strike a blow, which, though not important, might be brilliant; that peace was the time for the United States to recover their finances; that France had just begun to recover hers when hostilities begun between her and Britain; that had those hostilities been postponed two years, she would be more competent to the war; that, however, France had made every necessary arrangement for the next campaign. But that, as her exertions, and the maintenance of 60,000 men on the frontiers of Germany, to enforce her umpirage, would occupy all her resources, she was not able to afford those aids to America, which she was disposed to do, considering as she did the interests of America as her own.

MS not found; reprinted from Robert W. Gibbes, *Documentary History of the American Revolution*, 3 vols. (New York: D. Appleton & Co., 1853–57), 2:101–3. Described by Gibbes as "Notes by W. H. Drayton."

[1] Conrad Alexandre Gérard.

[2] That is, the committee of the whole. See *JCC*, 13:184–85. At the beginning of February, Gérard's relations with Congress had been strained because of the delegates' anxiety over obtaining naval aid from the comte d'Estaing and the effects of French procurement practices in depreciating the Continental dollar. But following Congress' decision to drop its request to d'Estaing for aid and an interview with Gérard and Jean Holker on exchange rates, the French minister felt the time had arrived to broach the subject of American peace terms, especially in light of prospects for Spanish involvement in the war against Britain. Therefore Gérard notified Congress in a note dated the 8th that he had "matters of the highest importance" to communicate, in consequence of which President Jay was ordered on the 13th to notify him that Congress would receive him "in a private audience." Gérard's February 8 communication to Jay is endorsed by Secretary Thomson, "Read Feby 9," but Thomson's journal entry of the 9th contains no mention of the matter. See PCC, item 94, 1:119–23; Wharton, *Diplomatic Correspondence*, 3:38; and *JCC*, 13:155–59, 180. Gérard's discussion of the delegates' response to his revelation of Spain's possible involvement in the war and his account of this "audience" with Congress can be found in his letters of February 15 and 17 to the comte de Vergennes. Meng, *Gérard Despatches*, pp. 521–32.

John Henry to Thomas Johnson

Dear Sir [February 15? 1779][1]

Your Letter respecting Mr. Harwood is before the Treasury Board,[2] and they will I hope report to Congress this Morning such an Establishment of that office as will induce him to continue in it.

By the inclosed papers you will see the pay of the officers of the Marine and Artillery.[3] There has been some alterations respecting the Rations originally given to the officers; formerly a Col. had a right to, and might

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draw for, six, a Lieut. Col five, a Majr. 4, a Capt three and Subalterns two. But now by a regulation of Congress passed the 27th. May 1778 a Col. and every other inferior officer can draw but one Ration, and for the Remainder he is intitled to subsistance Money which you will discover by the papers inclosed. By the Resolution of Congress of the 8th Oct 1776 each non-commissioned officer and private who should engage in the Service during the War, were annually entitled to a Suit of Cloths which were to consist for the year 1776 of two linnen hunting shirts, two pair of overalls, a leathern or wollen waistcoat with sleeves, one pair of Breeches, a hat or leathern Cap, two shirts, two pair of hose and two pair of shoes. By the resolution of the 6th Sepr. 1777 they have their Election to take these things, or those granted by the last mentioned resolve as you will see by one of the inclosed papers.

I lament the Necessity of calling the Assembly but in our circumstances it is unavoidable.

You will be pleased to inform me in your next of the time appointed for the Meeting of the Assembly.

I am Sir with great respect and Esteem your hble. Servt.

J. Henry Junr.

RC (NjMoHP: Lloyd W. Smith Collection). Endorsed: "John Henry Junr. with Resolves ascertaining the Pay of the Officers of the Artillery & Naval Departments. recd. 19 Feby 1779."

[1] This date has been conjectured from the endorsement indicating that it was received on the 19th and from the February 15 letter of William Carmichael to Thomas Harwood mentioned in the following note.

[2] Johnson's letter is not in PCC or the Maryland archives, but for additional information concerning Thomas Harwood, see William Carmichael to Harwood, February 15, 1779.

[3] In its January 28 letter to the Maryland delegates, the Maryland council had requested information on "the Pay, Rations & allowances to the Officers &ca" in Marine and Artillery battalions, and "what Cloathing was allowed to the Non-commissioned Officers and Privates in the marching Regiments for 1778." *Md. Archives*. 21:287.

Samuel Holten's Diary

[February 15, 1779]

15. Monday. Congress was resolved into a committe of the whole & the Minister of France was admitted to a private confearence for some time.[1] I wrote to Mr. Preston of Danvers.[2]

MS (MDaAr).

[1] John Fell also noted the occurrence of this conference in his diary this day. "Commercial Committee. Congress. Conference with Mr. Gerrard. 6 P.M. Committee on foreign Affairs." John Fell's Diary, DLC.

See also William Henry Drayton's Notes, this date.

[2] Not found.

John Jay to Robert Morris

Sir, Philadelphia 15th Feby. 1779

When Characters, rendered amiable by Virtues, & important by talents, are exposed to suspicions & become Subjects of Investigation, the Sensibility of Individuals, as well as the Interest of the Public are concerned in the Event of the Enquiry.

It gives me particular pleasure therefore to transmit to You an unanimous Act of Congress of the 11th Inst. not only acquitting your Conduct,[1] in the transaction it relates to, of blame, but giving it that express Approbation which Patriotism in the public, & Integrity in every walk of Life always merit & seldom fail ultimately to receive.

I am Sir with great Respect & Esteem, Your most Obedt Servant,

J.J.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:163–76; and Henry Laurens to Congress, January 16, 1779.

John Jay to George Washington

Sir, Philadelphia 15th Feby. 1779

The Committee appointed by Massachusetts-Bay to enquire into the Conduct of the Officers conducting the Public works at Springfield, having reported several facts charging them with Misdemesnors; Congress have by an Act of the 15th Inst. a Copy of which is herewith enclosed, Resolved that the several papers on this Subject be transmitted to your Excellency, & the Persons accused tryed by Court Martial.[1]

I have the Honor to be with the greatest Respect & Esteem, Your Excellencys most Obedt Servt. John Jay. Presidt.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] This "Act of the 15th Inst." that Jay enclosed for Washington was actually a resolve of February 11. *JCC*, 13:163. Washington's February 22 letter to Gen. Israel Putnam ordering him to convene a court-martial for Lt. Cols. David Mason and William Smith and Maj. Joseph Eayres of Massachusetts on the charges brought against them by the Massachusetts Council is in Washington, *Writings* (Fitzpatrick), 14:137–38. For the results of that court-martial, which Washington transmitted to Congress in a letter of April 12, 1779, see ibid., p. 369 and 15:67–69; and *JCC*, 13:448–49.

Samuel Adams to the Massachusetts Board of War

Gentl Philad Feb 16 1779

I recd your Letr of 27 Jan and immediately communicated such of the Contents as relate to your Application to the Govr of N Y, to the Dele-

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gates of that State. They assured me that the Govrs refusing to grant a Permit to Mr Shepperd for the Transportation of Flour from thence must have been owing to the real & very great Scarcity of that Article there; and they desired me to satisfy you in that point, fearing that it m[igh]t be supposd to arise from other Motives.[1] I will consult with my Colleagues and if any Means can be used by us to ensure Success to your Application from that Quarter you may depend upon our Exertion.

I am inclined to think that Govr C,[2] who in my Opinion is a truly good Man, is apprehensive of being imposd upon by Speculators, unless he uses great Caution, and he may perhaps not be fully apprisd of your acting under the express Authority & Commission of Massachusetts State. And yet I shd suppose your Letter to him would have been sufficient without authenticated Documents manifesting your Appointment.

South Carolina is at so great a Distance that no Interposition of ours could avail, if it was necessary in the present Instance, but I am of Opinion there will be no Difficulty there in Case your Vessel arrives, the Embargo being over. I will write to Mess P in B[3] & endeavor, shd there be any Obstruction there to get them removd. A Come of Con have under Consideration a Letter from the Council of M B on the Subject of provisions, & I am informd they are ready to make Report.[4]

If any thing shd occur which will make it expedient for me to write you further I shall not omit the first Oppty. In the mean time I am &c.

FC (NN: Adams Papers). Addressed by Adams: "The Board of War in Boston."

[1] The Massachusetts Board of War had requested permission to import flour "overland" from New York in a December 15, 1778, letter to Governor Clinton. Clinton, *Papers* (Hastings), 4:390. For additional information on this subject, see ibid., pp. 489–90, 515–16, 569–70; and John Jay to George Clinton, February 8, 1779.

[2] That is, George Clinton.

[3] Adams' letter to Samuel and Robert Purviance of Baltimore has not been found.

[4] See Samuel Holten to the Massachusetts Council, February 9, 1779, note 2.

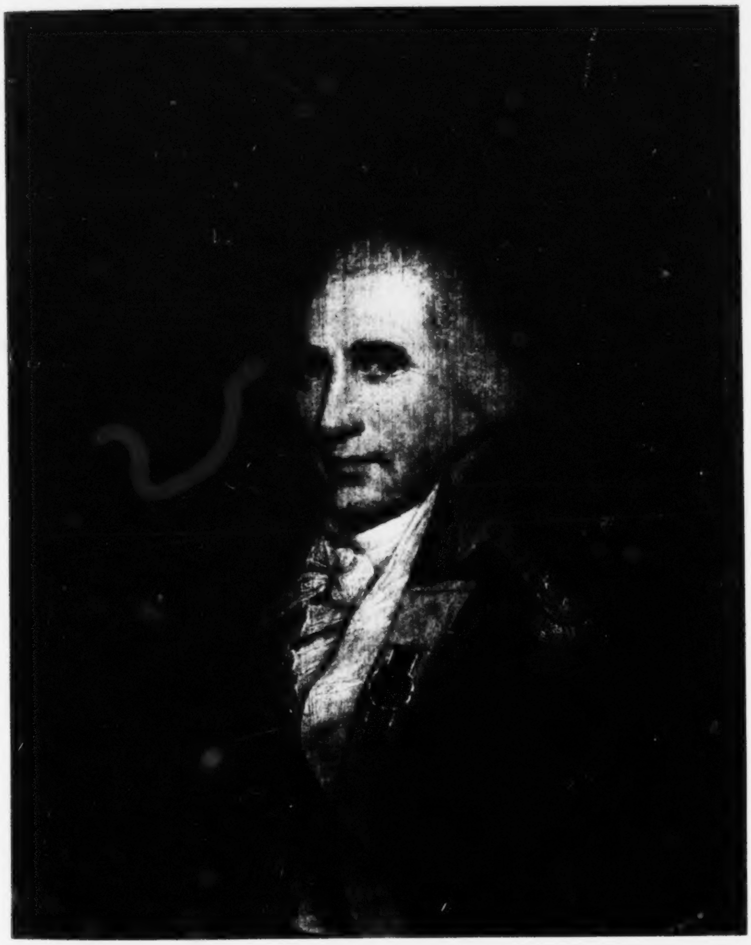
John Fell's Diary

Tuesday Feby. 16th [1779]

Commercial Committee 9 oC. Congress. Great debates relating to Genl Arnold, a motion for Suspending him, agreed to Postpone the motion till the Committee brought in their Report. A Representation from the Assembly of Pennsylvania to their Delegates in Congress, Relating to the Distresses of the Frontier Inhabitants. Letter from Govr Clinton of New York, and One from Govr Turnbull, Connecticut all to the same Purport. Referrd to the Committee of Conferrence. Letter from the Govr of Virginia concerning the Convention Troops, referrd to their Delegates. Corn £10 to £15 Per Barrell. Dined with Coll Griffin.[1]

MS (DLC).

[1] Virginia delegate Cyrus Griffin.



Frederick Frelinghuysen

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Frederick Frelinghuysen to Dirck Middagh

Dear Sir,[1] Philadelphia Februy. 16th. 1779

This day I have received your kind Favour of the 11th instant, for which I cordially thank you. I cannot yet believe myself in the Place which is proper for me. I feel shackled. I feel always ridiculously hampered; I dont feel like Frelinghuysen, as you are pleased to express yourself. I would rather, Sir, drink *sand & water* in the desarts of Monmouth in the Character of a Colonel of the first Somerset Regiment, than to drink *Wine* in Philadelphia in the Character of a Delegate for New Jersey—Because, Sir, in the first Case I should think myself in some measure qualified, but in the latter totally inadequate[2]—but I suppose you will say this is mere modesty, I shall therefore postpone the Proof of it untill I see you at the Captain's,[3] which I hope will soon be, as I cannot yet give you the good news, which has made People so very curious in this Place, &, as I am told, in the Country. I wish it was in my power to make you happy with some extraordinary Tidings; but sir, I must request you to wait with Patience, & not to raise your expectations too high, for fear of disappointment. I am glad to hear of the *Browns* doing well, I expect things will soon be so cheap, & that I shall make such a Fortune, & get so proud at this Place, that next Summer the *Browns* will have to roll me along in a Coach, a Chariot, or some such *Grandee* Thing; so that I hope you will spare no pains to fit them for such exalted business. Jokes aside, I trust the Time of our Deliverance is not very distant, & I hope Peace, a Happy Peace, will before long take place of distressing, desolating Wars; when you & I will again set some store by our Property, & take Pleasure in the Enjoyment of it. In the mean Time, let us do our Duty, & by our Influence & Example strive to check the growth of the present prevailing Evils. Farewell, my Friend, & let Virtue be your Guide. My Compliments to all Friends. Rest assured of the Friendship of your, Frelinghuysen.

RC (Harry Kels Swan, Somerset County, N.J., 1983).

[1] Dirck Middagh (1743–1805), formerly lieutenant colonel of Frelinghuysen's First Somerset Regiment of New Jersey militia, had succeeded to the command of the regiment upon Frelinghuysen's resignation from it when he was elected delegate to Congress. The relationship between the two men has been explored in Harry Kels Swan, *Raritan's Revolutionary Rebel: Frederick Frelinghuysen, Fatherless Protege of Dirck Middagh* (Somerville, N. J.: General Frelinghuysen Chapter, DAR, 1967).

[2] Frelinghuysen also expressed his sense of inadequacy as a delegate when he submitted his resignation in April, noting that "the trust was too important for my years and abilities." Born April 13, 1753, and graduated from the College of New Jersey in 1770, he had been a tutor at Queens College in New Brunswick for a time before turning to the study of law, and he had practiced only briefly after his admission to the New Jersey bar in 1774 before becoming drawn into the current of public affairs at the onset of the American Revolution. See ibid., pp. 14–15; and Frelinghuysen to the New Jersey Assembly, April 29, 1779.

[3] Cornelius Vermeule.

John Jay to Horatio Gates

Sir, Philadelphia 16th Feby. 1779

I have the Pleasure of acknowledging the Receipt of your Favors of the 15th & 29th Ulto. which were immediately communicated to Congress.[1]

I am Sir, Your most Obedt. & Hble Servt. J. Jay[2]

LB (DNA: PCC, item 14). The RC of this letter in the Gates Papers, NHi, was not dated, but following "Philadelphia" the date "March 1779" was added in a hand which is neither Jay's nor that of his secretary, Henry Brockholst Livingston.

[1] See *JCC*, 13:134, 163.

[2] This day Jay also addressed a letter to Samuel Downe, Moses Emerson, and James Stevenson—"Committee of Accounts at Hartford"—acknowledging receipt of their letter of January 16 and reporting that it had been referred to the Board of Treasury. Their letter is not in PCC, but the subject of it was probably the settlement of their "salaries and contingent expences" as commissioners of accounts for the middle department, which Congress finally ordered on May 31, 1779. See PCC, item 14, fol. 49; and *JCC*, 13:114, 14:670.

John Jay to Gerard de St. Elme

Sir, Philadelphia 16th Feby. 1779

The enclosed copy of an Act of Congress of the 13th Inst. will inform You of your Appointment to the Rank of Major by Brevet.[1] I congratulate You on this Honor, & the more so, as it is conferred as a testimony of the Approbation of Congress of your Zeal & Services.

I am Sir, Your most Obedt. & Hble Servt. J.J.[2]

LB (DNA: PCC, item 14).

[1] For Monsr. Gerard de St. Elme's appointment and the Board of War's February 12 report recapitulating his efforts to secure a Continental commission, see *JCC*, 13:182–83. His October 19, 1778, letter to Congress and a letter from Casimir Pulaski commending him are in PCC, item 164, fols. 34–37, 48–53.

[2] This day Jay also wrote the following brief letter to Casimir Pulaski enclosing resolves of Congress authorizing him to recruit his corps "to its original establishment." "You will receive herewith enclosed a Copy of an Act of Congress of the 13th Inst respecting the Corps under your Command." PCC, item 14, fol. 52; and *JCC*, 13:181.

John Jay to Christopher Hele

Sir, Philadelphia 16th Feby. 1779

Immediately on receiving your Letter of the 11th Inst. I communicated it to Congress.[1] Whatever Resolution, Congress may come to on the Subject, shall without delay be Transmitted to You.

I am Sir your most Obedt. & Hble Servant, J. Jay.[2]

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LB (DNA: PCC, item 14).

[1] *JCC,* 13:179. For the capture of Lieutenant Hele and the efforts of Adm. James Gambier to secure his release, see Henry Laurens to John Beatty, November 7, 1778. For Hele's subsequent efforts to gain his freedom, which resulted in his parole in May 1779, and his frustration when Congress subsequently made his formal release conditional upon the exchange of Capt. Gustavus Conyngham, see *JCC,* 13:410, 424, 14:614, 838, 941, 15:1086, 1373, 16:72.

[2] This day Jay also wrote a brief letter to Col. Thomas Hartley signifying that Congress had accepted his resignation. *JCC,* 13:180; and PCC, item 14, fols. 51-52.

John Jay to Robert R. Livingston

Dear Robert Philadelphia, 16 Feb. 1779

Your Favor of the 3d Inst. came to Hand this morning.[1] The Satisfaction my Letter afforded you flatters as well as pleases me. It argues a Remembrance of former Times; for which & other Reasons I shall give you no more opportunities of joining the assembly of Angels in rejoicing over penitent Mortals. Not that I mean, on the one Hand, to enter the State of Reprobation & become a hardned Sinner, or on the other enlist with those Saints who *slip not with their Feet.* This Letter, written on the very Day I recd. Yours, will be some Evidence of my having gone thro the whole Process of Amendment. Divines you know describe it as consisting of Conviction, Contrition, and Conversion. Whether I shall persevere or not, is a Subject on which Time will utter the surest Prophecies.

The Complections of Resignation, soft Complaint, and joyless Sensibility, are so blended in your Letter, that (if anonymous) one would suppose it written by a wayworn Traveller thro' this Vale of Tears, who journeying towards his distant Heaven, thro sultry Heats and dreary Paths, at Length lays his languid Limbs under some friendly Shade, and permits the Effusions of his Soul to escape in words. My Friend a mind unbraced and Nerves relaxed are not fit Company for each other. It was not a Man whom the Poet tells us "pined in Thought and sat like Patience on a monument smiling at Grief." In such rugged Times as these other Sensations are to be cherished. Rural Scenes, domestic Bliss, and the charming Group of Pleasures found in the Train of Peace, fly at the approach of War, and are seldom to be found in Fields stained with Blood, or Habitations polluted by outrage and Desolation. I admire your Sensibility, nor would I wish to see less Milk in your Veins—you would be less amiable. In my Opinion however your Reasoning is not quite just. I think a Mans Happiness requires that he should Condescend to keep himself free from Fleas and Wasps, as well as Thiefs and Robbers.

When the present Session of your Legislature is ended, take a Ride and see us. You will find many here happy to see you. Morris has not forgotten you, and I will answer for his Memory on that Subject. He is busy and useful, more busy indeed than most others—for besides the Affairs of Congress, he is daily employed in making Oblations to Venus and Sacrifices to

Aculapius. Remember this is to be translated in the best Sense, and not so construed as to mean Vice or P—x.

The Report arising from Hakes Importations has no Currency here.[2] If it should, I shall put your Mark of Counterfiet upon it. I have heard Nothing of that Business since I left you, except Capt. Banckers telling me that some of the goods had been discovered and seized. If Hake deserved half the Censure bestowed upon him by those, who ought to have known him, he had a Right only to that Species of Politeness which Gentlemen practice to keep men of that Character at a Distance.

I have something, tho not very interesting, to say to you on the Subject of Politics, but as it is now very late, and I have been writing Letters ever since Dinner, I am really too much fatigued to proceed. Make my Compliments to Mrs. Livingston, who I presume is with You. Adieu, I am your Frd. and Servt, John Jay.

P.S. You say Nothing of Edward.[3]

RC (NHi: Livingston Papers).

[1] Livingston's February 3 letter to Jay is in Jay, *Papers* (Morris), pp. 549–51.

[2] For Samuel Hake's "Importations," see ibid., p. 551n.1.

[3] That is, Edward Livingston.

John Jay to Jeremiah Powell

Sir, Philadelphia 16th Feby. 1779.

I have the Pleasure of acknowledging the Receipt of your Favor of the 14th Ulto, which was immediately committed, & of the 16th Ulto. which together with the Papers enclosed in it have been transmitted to His Excellency Genl. Washington, with directions to cause the Officers charged with Delinquency at Springfield to be tryed by a Court Martial.[1]

I have the Honor to be Sir, Your most Obedt & Hble Servt.

J.J.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:130, 163; and Jay to Washington, February 15, 1779. The Massachusetts Council's letter of January 14 is in PCC, item 65, 1:368–70.

James Lovell to Abigail Adams

Philada. Feby. 16. 1779

Though I have this day for the first time received a Letter from your husband, yet I feel chagrined at not having had one inclosed for you. I had promised myself the pleasure of being instrumental to your happiness in that way, frequently. He dates from Passy Decr. 6th[1] and acknowledges the Receipt of an official Letter from Me of Octr. 12 but says not a

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syllable of having touched a single one of all my private Addresses to him. He is not lengthy. Some parts are confidential and not interesting to you as his Wife. Other Parts, tho confidential also, are not indifferent in a domestic view. On the footing therefore of a past promise I copy them. "Mr. D—— and others have written in a manner which makes it expected that one will be left alone here. But what is to be done with the other two is left to conjecture. If I am recalled, I shall have nothing to do but get home if I can. If I am appointed to another Court I shall be in some perplexity; because I see no probability of being received at present. However, I can digest nothing till I have the premises." "The King's Speech I have already sent to Congress by several Opportunities. You will see he dreads the great armament of other powers, in the plural. He must mean Holland and Spain. You will see also that the Opposition is more strong than it ever was before, in both Houses. I will omit no oppertunity of sending the other papers with the debates as they come; and I pray they may go safe. But immense Numbers of our Dispatches are sunk in the Sea. I beg of you to write as often as possible to John Adams."

None of the Papers he mentions have come to hand. The Perplexity he apprehends will I know for certain lessen every hour. You will hear much talk of great Secrets which Congress keep to themselves. It is true that some *Circumstances* respecting Alliances are & ought to be concealed but the News papers will give you the main Parts of what we know in Regard to Friendships for us and Disappointments for Gr. Britain.

But, I quit these Topics, and return to Mr. A——. His Namesake here wrote some time ago on the subject of a new destination for him[2] and several of my Letters are on their passage tending in their contents to make him rest satisfied till he receives our final Adjustments of who & where.

With a terrible Head Ack but a sound and affectionate Heart I bid you Good Night. JL

RC (MHi: Adams Papers).

[1] John Adams' December 6, 1778, letter is in the Adams Papers, MHi.

[2] See Samuel Adams to John Adams, October 25, 1778.

James Lovell to Richard Henry Lee

[February 16? 1779]

The Key you sent will not explain a Letter of Doctr. Lee of Paris Aug. 31. 1778 nor will the Dictionary that has, at last, been delivered to the Committee for forgn. affairs. I hope you can assist me, tho' I rather think that yr Brother has lately sent some other Key, which may have been lost. I give you the first Paragraph.[2]

"Gent: It has been hinted to me that there will be two important subjects of {negotiation}[3] with the {Spanish Court} upon which I beg to have the {Orders} of {Congress}.

"1st. Providing the {Spanish Navy} with {Masts} at a stipulated and as reasonable a Price as possible.

"2d. The {Cession} of {Florida} should it be {conquer'd} to them.

"For this they would {stipulate}, whenever {peace} is {concluded} to furnish the {fund} for {sink}ing all or great part of the {paper}.

"I cannot presume to proceed at all on these {proposition}s without express {instruction}. In the mean Time what further Lights I can obtain shall be communicated immediately.

"I have the honor to be &c."

RC (ViU: Lee Family Papers). In Lovell's hand, with deciphered words interlined in the hand of Richard Henry Lee.

[1] This date has been assigned because the original of Arthur Lee's August 31 letter to the committee for foreign affairs that Lovell transcribed here for Richard Henry is endorsed: "recd. Feb. 16. 79." PCC, item 83, 1:278–81. It seems probable that Lovell sent it to Lee to be deciphered soon after it was received by the committee.

[2] In fact, Lovell provided the entire letter. See Wharton, *Diplomatic Correspondence*, 2:699.

[3] Words printed in braces in this text were written by Lovell in cipher and deciphered by Lee.

Daniel Roberdeau to John Bayard

Sir, Philada. Feb'y 16th, 1779.

The Instructions to the Delegates of this State in Congress, from a Committee of your Honorable House respecting the defenceless Situation of our Frontiers, is referred "to the Committee lately appointed to confer with the Commander in Chief, and that they be directed to confer with a Committee of the Assembly of Pennsylvania."[1]

Mr. Duane, Chairman of said Committee, requests through me, that he may be notified of the appointment of such Committee, and when and where they will hold the Conference.

I am with high esteem, Sir, yr most obt hum. Servt,

Daniel Roberdeau

[*P.S.*] Mr. Duane lodges at Mrs. House's.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:194. Addressed: "The Honorable John Bayard, Esquire, Speaker of the House of Representatives of the State of Pennsylvania."

[1] The Pennsylvania Assembly's instructions to its delegates concerning the distresses suffered by the state's frontier inhabitants are in PCC, item 69, 1:605–8. For Congress' response to this appeal, as well as the interest of the state of New York and General Washington in offensive operations to relieve the inhabitants of the northwestern frontier, see *JCC*, 13:189, 251–52; New York Delegates to George Clinton, February 19; and John Jay to Washington, February 26, 1779.

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William Whipple to John Langdon

My Dear Sir, Philadelphia 16th Feby. 1779

I have this day rec'd your favors of the 8th, 18th, and 23d Jany numbered 8, 10, & 11, by which it seems No 9 is missing. I shall do every thing in my power towards the gratification of your wish, but it is very difficult at this time to get a grant of money. Our ships have been so unfortunate that many gentlemen (perhaps from different motives) very reluctantly consent to the appropriation of money to that service; however there are those who think differently and see clearly the importance of a Navy. Nothwithstanding the views on both Sides the question may be well intended, these different sentiments have a tendency to procrastinate matters which may sometimes be of great importance.

Notwithstanding your unfavorable opinion of the finance scheme, I must be of opinion it will answer a valuable purpose—perhaps we have not gone far enough—if that is your sentiment you have not an opponent in me, but there is room to go farther and I hope something is doing in Europe that may tend to advance the value of our paper currency, though I am convinced no just plan but taxation can do the business. You seem to be afraid that the present generation will do too much—dont be concerned about that my friend; you need be under no apprehension but posterity will have full enough to do and I think we are told by good authority that our utmost exertions will fall short of our duty.

I have urged the Commercial Committee to settle the commissions on some general System which they encourage me will soon be done, when you will have full information on that Subject. That Committee have lately wrote you[1] for a particular account of the cargos you have rec'd from France. I wish you would be very particular in this business and give them not only an account of what was rec'd by the different Ships but the State they were rec'd in also copies of the invoices (if any there were) that came with them, and if you have no objection, perhaps it may be as well to let these matters pass through my hands.

I shall endeavor to see Mr Collins so as to inform you per next post what he says of Mr Barrell's affairs.[2]

The last letters from France were dated in November—nothing then could be learnt of the proceedings of the British Parliament but it is certain they have not been able to procure any foreign troops, every intelligence from Europe seems to favor an opinion that the Independence of America will be acknowledged by most of the European powers in the course of a few months, but the acknowledgment of Britain may be tacked to some disagreeable propositions; it therefore will be necessary that we should be formidable in the field and I hope every exertion will be used by the different states for that purpose; the ensuing campaign will I am confident close the scene if we act with vigor.

I am very respectfully yours &c. W.W.

[*P.S.*] I expect the Navy Board at Boston will speedily have a supply of money.[3]

Tr (DLC: Peter Force Collection).

[1] Not found.

[2] See Whipple to Langdon, February 20, 1779. Stephen Collins was administering the estate of William Barrell, a New Hampshire merchant who had died in Philadelphia in 1776. Barrell's papers and Collins' substantial correspondence on the settlement of his estate are in the Stephen Collins Collection, DLC.

[3] Congress appropriated $500,000 for the Eastern Navy Board on February 19. See Whipple to Langdon, February 20, 1779.

William Whipple to Joseph Whipple

My Dear Bror. Philadelphia 16th Feby 1779

I believe my last to you was the 3d inst since which I have receiv'd none of Your favors, it was on my mind that I wrote to you per last post, but on looking over my minutes I do not find it noted, therefore conclude I did not.[1] The last accots from Europe are in Novr. By which we learn that Britain is intirely disapointed in her expectation of assistance from Russia. The King of Naples has opened his ports to us, & we have every reason to expect the most favorable proposals from many European powers, perhaps in the course of a few weeks, I may give you intelligence that will afford the highest satisfaction, but you must not be too sanguine in expectation of a speedy Peace, 'tho I have no doubt overtures of that sort will e'er long be made by Britain, but I am inclined to think that such terms will [be] anexed to them as cannot be accepted consistant with good faith.

Let me know how the Resolutions of Congress respecting Money matters operate—inform me what were the prises of Masts by the former Contracts and what they may be procured for now supposing the pay to be made in something permanent.

The news papers I send from time to time will afford you some amusement—the impression Mr. D——s first publication made on the minds of people I suppose is by this time taken off. I am inclined to think, when matters are fully investigated, his character will appear in a much worse light than people at present have an idea of, and the Characters of those who he has endeavourd to blacken, will appear with great lustre. Adieu. Yours &c. W W

RC (MH-H: Sturgis Papers).

[1] William's conclusion was undoubtedly correct; no letter from him to Joseph dated between February 3 and 16 has been found.

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Committee of Congress to Jeremiah Wadsworth

Sir, Philadelphia 17th Feby 1779.

In answer to yours of the Instant we have to Observe that we think it by no means adviseable to purchase more Rum at present than immediate Consumption demands. That Article is now falling fast for which two good reasons are to be Assigned—first, That the Money daily growing better from many Reasons besides the resolutions of Congress, Gold which is in some Sort the Standard hath fallen at least 20 per Cent—Secondly, That Considerable Quantitites of this Article have arrived & more expected in Consequence of which the Engrossers are in haste to dispose of what they have And thence much is at market which before was hoarded. It will be (we concieve) advantageous to inculcate an Idea that the Continent are Supplyd with as much as they will want untill the arrival of the Cargo shiped by their Agents.

We are Your humble Servants,
Gouv. Morris
William Whipple
Francis Lightfoot Lee

Tr (CtHWa: James Wadsworth Collection). In a clerical hand.

James Duane to Mary Duane

Philad. 17h. Febry 1779

My enclosed Letter[1] for you has lain by me some days for want of Conveyance: yesterday, my dearest Polly, I was made happy by the Receipt of your agreeable Favour of the 31st of last month. The Knowledge of the Health of yourself, our dear Children & Friends is the greatest private Happiness I can expect in our Seperation. To encourage you to write me frequently I shall, unless from unavoidable necessity, omit no opportunity altho' it may be only to reassure you of my Health.

I just saw Mr Swift who tells me that Brother Robert & his amiable Lady are both well. His Constitution seems to be mending which gives me real Satisfaction as it opens the prospect of our spending many happy days together & of perpetuating & enjoying that Social Friendship which has so happily subsisted between Us since our first Acquaintance.

The Weather here is uncommonly Warm for the Season. It looks like Spring: the Buds of the Trees begin to swell and the grass to put on Verdure. Probably it will be checked by a Change, as I think the winter can hardly be over already.

I enclose you the News papers of this week for your and our hond Father's J[oi]nt Amusement—With Duty, Blessings & Compliments to

Parents, Children & Friends respectively, I am ever, My dearest Polly,
Your Affectionate & faithful Husband, Jas. Duane

RC (NHi: Duane Papers).

[1] The most recent extant letter from Duane to his wife is dated January 23, 1779.

John Fell's Diary

Wednesday Feby 17th 1779.

Comercial Committee. Congress. Memorial Read from all the Officers now Prisoners on Long Island Praying to be Exchanged refferd to a Committee of 3, vizt. Duane, Atley & Dyer. Widdow Kennedys Report, and Treasurys Board opinion thereon Postponed.

Sundry foreign Letters from Arther Lee & other Commissioners & from John Ross were Read.[1] G. Morris moved with many Reasons well drawn up that the above Letters, and the late Conferrence with the Minister be Referrd to a special Committee, agree'd to 5 vizt. Morris, Burk, Weatherspoon, S Adams and Smith.[2] Secret. 6 PM. Committee on foreign Affairs, only 3.

MS (DLC).

[1] Only letters from Arthur Lee are identified in the journals. Those from the "other Commissioners & from John Ross" are probably the documents Secretary Thomson described as "sundry papers enclosed." *JCC*, 13:194.

[2] For the consequences of the work of this committee, which on February 23 submitted a report stating "What to insist on as the ultimatum of these states" should negotiations for peace be opened with Great Britain, see Gouverneur Morris' Proposed Resolves, March 22? 1779, note.

Thomas Adams to Giovanni Fabbroni

Good Sir[1] Philadelphia Feby 18th 1779

Your obliging Favor by Colo Decrenis[2] (long after its Date) came safe to Hand. The keen pursuit of that Gentleman after Glory, may be ranked among my Misfortunes as it deprived me of the Pleasure of entertaining him in my own Country and afforded me less of his Company here, than I could have wished. He returns with the most honorable Testimonies of his Valor & good Conduct, as well from the commander in Chief, our beloved Washington as other Officers of approved Merit and Distinction, under whom he immediately acted. Congress have conferred on him a Brevet Commission of Lt. Colo., the highest in their Power to give comporting with the present Arrangement of our Army.

Our Friends Mr. Mazzei & Belini[3] are very well, the former I hope you may see some Time next Summer in Italy, in honorable Employ, but this is said to yourself as his Friend & not to be mentioned to others. Belini is

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Thomas Adams

Professor of Modern Languages in William & Mary College at Williamsburgh Virginia where he leads a most happy Life loving & beloved of all, the Profits of his Appointment are very Genteel from four to five hundred Pounds per Annum.

Being a Member of Congress their would be an impropriety in my writing to you on the Subject of Politicks. I can upon the whole say Things appear in a pleasing Train.

The Book you were pleased to compliment me on as being the Author was written by an Englishman of the Name of Thos. Payne who is now prostituting his Pen in abusing some of the most respectable Characters among us. I shall at all Times be happy to see or hear from you. Being with great respect for the Character you bear, Yr. mo. obt & very Hum. Sevt.

Thos. Adams

RC (PPAmP: Fabbroni Papers). Addressed: "To John Fabroni Esq in Italy. favd per Colo. Decrenis."

[1] Giovanni Fabbroni, a young Florentine scholar, had developed a correspondence with Virginians through his friend Philip Mazzei. See Jefferson, *Papers* (Boyd), 1:519-20; Philip Mazzei, *Memoirs of the Life and Peregrinations of the Florentine, Philip Mazzei, 1730-1816* (New York: Columbia University Press, 1942), pp. 185-86, 199-200; and these *Letters*, 2:526-28.

[2] Martial-Jean Antoine Crozat de Crénis, who had also carried a letter from Fabbroni to Thomas Jefferson when he came to America in 1777. See Jefferson, *Papers* (Boyd), 1:519, 2:195; and these *Letters*, 8:384.

[3] Charles (Carlo) Bellini, formerly employed in the treasurer's office of the grand duke of Tuscany in Florence, had come to America with Philip Mazzei in 1773. Jefferson, *Papers* (Boyd), 2:28-29n.

John Fell's Diary

Thursday. Feby 18th. [1779]

Commercial Committee. Congress. Letter from President Powell & one from Cmy Ward, on Long Island, in behalf of the Prisoners on Long Iseland, Referrd to the Committee appointed Yesterday.[1] Barron Stewbon the Inspector Generals Rules and orders, application from the Board of Warr for a further allowance, agreed 84 Dolls in addition to his Pay as a Major General, Letter from Count Polaska. Report of New Regulations in the Artilery Line &c.[2] 6 P.M. Committee on foreign Affairs. Only 3 Members.

MS (DLC).

[1] The "Memorial of American Officers Prisoners of War on Long Island," which had been sent to the Massachusetts government by Joseph Ward, former commissary general of musters, is in PCC, item 41, vol. 10:59-64. Jeremiah Powell then forwarded the memorial to Congress with his February 4 letter to John Jay, which is in PCC, item 65, fol. 372.

[2] For Congress' "Arrangement of the Department of Ordnance" this day, see *JCC*, 13:200-206.

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William Floyd to John McKesson

Sir, Philadelphia, Feb. 18th. 1779

I Recd. your Letter by the Governors Express, and am very much Obliged to you for the many usefull Informations it Contains, and particular that a tax Bill has passed the Assembly, upon a plan which if the Assessors Does their Duty faithfully And honestly must Bring in a very handsome Sum of Money, I am pleased with your Representation of it, And hope it will pass the Senate and Answer the Valuable purposes Intended.

I am Sorry to hear that the troops in and About the highlands are so Short of provisions, and am much Surprised when you Say that not more than ten Days provisions are purchased. What can be the Cause of this? Is the Commissaries deficient in their Duty or is there a Real Scarcity; I should be glad to be Informed to which of these Causes it may be attributed or to what other.

The Observations which you have made in your letter on money matters I think is well worth the notice of our Treasury Bench, and therefore I Shall Lay that part of it before them, as in my opinion there are some hints which will be usefull to them.

As to those Cursed, Deputies Comsys, Qrs, & forage Masters, I dont very well know what can be Done with them; I know they are an Infernal Crew, very few Excepted, Saping the very foundation of this Continent—proper Information given to the heads of those Departments Of the Male-Conduct of those Deputies is the only Method that at present strikes me as proper to Regulate those fellows, unless the Governor should Exercise the Authority Given him by Congress to Remove from office or suspend such of them as do not behave well therein.

As General Washington has the Direction of the Army and All Expeditions are Left with him he will Do what he thinks proper therein, But I have no Expectation of Any Northern Expedition, Except to the westward of Albany and I do not of any there.

You'l Be kind Enough to Continue your Correspondence; I should be Glad to hear what Laws pass this Session—from Sir, your very humble Servt. Wm. Floyd

RC (NHi: McKesson Papers).

William Paca to Joseph Reed

Sir 18 Feb. 1779.[1]

In answer to your Requisition I can only say I know of no Resolution of Congress which discontinues General Arnold's Command in this City.[2]

I have the Honor to be, yr. Most obd. hble Sevt. W. Paca

FC (PCC, item 19). In the hand of William Paca.

[1] Facsimiles of the RC of this letter ["in the possession of J. Mickley Esq. Philad."], are dated "19th Feb. 1779." Emmet Collection, NN, and Myers Collection, NN.

[2] Paca was responding to the following query contained in Reed's letter of February 18 to him: "I should be glad to be informed whether Genl. Arnold continues to have the Command in this City as that Circumstance may very probably have an Effect upon the Conduct of the Council upon the present Occasion." PCC, item 19, 1:139.

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia 18th Feby 1779

Your two favors of the 9th & 20th Jany came to hand Yesterday.[1] I do not wonder at your uneasiness on accot. of the scituation of the Curry; I hope what has been done by Congress will have some tendency to reestablish the credit of it, however something more must be done, & I trust, very shortly will. I am sorry to find Your mind in so gloomy a scituation. "You fear, nothing but peace will save us from destruction". These my Friend are sentiments calculated for the meridian of Pensylvania. Peace to be sure is desireable but in my Opinion a secondary Object, war with all its horrors is preferable to an inglorious peace. I hope we shall never consent to such a peace as will involve posterity in greater evils than we have suffered. I have no doubt but there is vertue enough in the Army to undergo the fatigues of one more campaign. They must be sensible that everything that can be is done for their comfort, & I will undertake to say that the strictest justice will be done them when it is in the power of their Country to do them that justice. I have heard nothing of Genl Sullivans calling for the Militia.[2] He has never intimated any such intentions to Congress nor can I have the least conseption what they can be wanted for at this time. The design of the publication you mention I believe was to conceal the Villany of the publishers.[3] I need say nothing to you of the Characters he endeavours to blacken, you know them to be some of the best that this contest has brought on the stage. The Character he chiefly aims at,[4] America is certainly under very great obligations to: to him we are indebted for every peice of good information we have received from Europe since the commencement of the dispute with Britain. I am well satisfied the publisher wod give all his smugled wealth to recall that performance but it is too late, he has tho' without intention given the key by which his base designs will be discovered & I hope public justice will be done. There can be no dependence on the intelligence you get from York, that part respecting the 100 Dollar Bills certainly is not true.

By the last accots from Europe American affairs have a much better aspect there than here, the perticulars I have not Liberty at present to communicate, but I f[l]atter myself I shall e'er long have it in my power to give you such intelligence as will dispel those gloom that at present seem to pervade Your mind. But I hope every faculty will be exercised to

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have a very respectable army in the field, if that is effected I have not a doubt but we shall (under the smiles of Heaven & assisted by our allies) Humble to the dust the proudest nation in the world, have peace on our own terms, & make America the seat of Happiness; that these Glorious events may speedily take place—God of his infinite Mercy Grant, Amen. Yours, most sincerely, Wm. Whipple

RC (NhD: Bartlett Papers).

[1] Josiah Bartlett's January 20 letter to Whipple is in Bartlett, *Papers* (Mevers), pp. 238–39. His letter of the ninth is available in the Bartlett Papers microfilm edition, NhHi.

[2] In his January 9 letter to Whipple, Bartlett reported that Gen. John Sullivan, in a December 20, 1778, letter to the New Hampshire Council, had requested that additional troops be sent to Rhode Island. See Sullivan, *Papers* (Hammond), 2:463.

[3] In his January 20 letter to Whipple, Bartlett noted the public reaction in New Hampshire to Silas Deane's "address to the public." Bartlett, *Papers* (Mevers), p. 238.

[4] That is, Arthur Lee.

John Fell's Diary

Friday Feby. 19th 1779.

Commercial Committee. Congress. President Reeds Letter, requesting the Resolutions of Congress with regard to sundry Officers therein mentioned, On Motion that he should have applied to the Delegates of the State, caused long debates. Letter from the Board of Warr, setting forth the necesity of Putting the Clothier Generals Business on a better footing, and also the exceeding bad management of the Commissary of Hides department; the first Referrd to the Committee of Conferrence, and the last relating Hides to the Bd of Warr to Report. The Treasury requested a New Emission of 5,160,000[1] and also their reasons for not complying with the request of the Commercial Committee for 500,000 Ds. President acquainted the House that the Minister of France had told him, that his health was Impaird and he beleived the Air of this Country did not agree with him, that he had leave to go to France, and that another was appointed in his Room. A Frigate was orderd to be imediatly Prepaird to carry him Home.[2]

This night the Committee did not meet,[3] Rainy night.

MS (DLC).

[1] The sum was actually 5,000,160. See *JCC*, 13:185–86, 209.

[2] The French minister's plans to return to France were also noted by Samuel Holten in his diary this day: "The honl. Mr. Elsworth dined with us. I understand Mr. Gerard is going to return to France, on acct. of his health." Samuel Holten Diary, MDaAr. For Conrad Alexandre Gérard's reports to the comte de Vergennes discussing his poor health and desire to return to France, and Congress' offer to provide a vessel for his return to France, see Meng, *Gérard Despatches*, pp. 506, 541, 567.

[3] Undoubtedly the Foreign Affairs Inquiry Committee.

John Jay to George Clinton

Dear Sir Philadelphia 19 Feb. 1779

Your very friendly Letters of the 10th Ulto. and 2d & 9th Inst. by Mr. Barclay, gave me Pleasure.[1] Accept my Thanks for these Instances of attention, and be so obliging as now & then to tell me how you do, and what political operations distress or promote the public Weal.

The Bill respecting the Council of Revision is a most insidious Measure. I always wished to see their Proceedings published, & think this Circumstance will afford full Justification to that Step. The real Farmers Plan of Finance is so abominably wicked as well as unpolitic, that it ought to be exposed, and the Eyes of the Public turned to the Author.[2]

We have no late accounts from Georgia. There is little Reason however to doubt of the Enemy's being in full possession of it. Large Reinforcements are ordered & probably gone to Gen. Lincoln. What his Force will on their arrival amount to is uncertain; nor can we be certain that they will be equal to the Recovery of that State. Besides you know militia cannot be kept long in the field. We are under no great apprehensions for South Carolina, tho several Circumstances render it vulnerable. The Enemy possess St. Lucia. What further Events have happened in the W. Indies is a Subject on which we have no Information.

Mr. Duane promises to prepare a joint Letter for the Delegates to you, & I imagine it will be ready in the Morning. Lest it should not, it may be proper to inform you that all the Departments are placed under the immediate Direction of Gen. Washington, & therefore that Provision for the Security of the Frontiers falls within the Line of his Duty & Authority. Pennsylvania is under similar Circumstances with you, & will equally demand & be referred to his Care and Protection. His Respect for New York, & the personal Regard he assures me, he entertains for the Governor, will I am persuaded unite with other more general Considerations in drawing his Attention to your Exigences and affording the State all the Security in his Power to give.

The Scarcity of Bread in the East & South is become a serious Subject, and I hope Care will be taken to prevent so great a Calamity in New York. Give while you have to spare, but Regard to self Preservation ought to set Bounds even to Acts of Benevolence.

One of our Frigates has sent a fine armed Vessel of 16 Guns into Boston. The Coast from Delaware to Chesspeake is extremely infested by Privateers from the City of New York. The Merchants here are preparing to protect their Trade by fitting out armed Vessels for the Purpose.

This State is immersed in politics & perplexity, the opposition to the Constitution is respectable & formidable. The Presidents want of Temper & Prudence has injured him. The public Papers will give you more Information on this Subject. Arnold is hard run by them.

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Be pleased to make my Compts. to Mrs. Clinton, and to the two Bensons & Lush.

I am Dear Sir, Your Friend & Servt, John Jay.

RC (NjMoHP: Lloyd W. Smith Collection).

[1] Clinton's letters of February 2 and 9 are in Clinton, *Papers* (Hastings), 4:539–40, 555–56.

[2] Although Clinton did not mention the "Council of Revision" or the "real Farmers Plan of Finance" in either of the letters cited above, both subjects were discussed in his February 2 letter to Gouverneur Morris, ibid., pp. 535–37.

New York Delegates to George Clinton

Sir, Philadelphia 19th Febry. 1779.

We beg Leave to acknowledge the Receipt of your Excellency's Dispatches of the 9th Instant by Barclay.[1]

We lament the frequent Ravages of the western frontier. They have been severely felt both by our own State and Pensylvania; and we are called upon by every motive to be vigorous in the necessary Preparations for punishing our Enemies and protecting our Citizens. The Commander in Chief has spent some time in this City in Conference with a Committee of Congress. No pains have been spared to impress him with a strong Idea of the absolute necessity of attention to these great objects. The operations which will be most effectual are submitted to his Judgement, and every Department is placed under his immediate Superintendance. With him, therefore, we wish your Excellency to correspond.[2] We know that he has great Confidence in you and that your Solicitations and advice will have a proper weight.

General Schuyler also stands high in his opinion; & we are fully persuaded that any Plan which you & he suggest, or Requisition which you make, will meet with all possible attention. These are as fortunate Circumstances for our Frontiers as coud be wished, and we are persuaded they will be embraced. If any Obstructions arise, or any thing you may deem essential is omitted (which we have not the least Room to apprehend) we shall stand ready to support your Representations with the utmost Diligence and Zeal.

The arrangement of the army with respect to the relative Rank of the officers is not yet entirely compleated. This Defect, which has given room for dissatisfaction, is chiefly to be ascribed to the Committees' having left Congress before the arrangement was matured for a Report. It is however handed over to the Commander in Chief who is directed to finish it, the principles having been established by Congress. You will, therefore, be pleased to apply to him for Information; his own Anxiety on so interesting a Subject to the whole army will not brook Delay.

The Letters of marque and Reprizal are forwarded by this Conveyance agreeable to your Excellency's Request.

Preparations are making by Congress for the ensuing Campaign. The Intelligence from Europe is not sufficiently decisive to Justify the least Relaxation, tho they are by no means discouraging.

We shall be happy to hear that the acts of Congress respecting Finances & Taxes meet with the approbation and firm support of our Legislature. Congress in this and all other Measures of Importance have decided with an uncommon degree of unanimity. We sincerely wish the same Harmony may ever continue and prevail in the great Council of the United States, and be extended to every Branch of the Confederacy. We have the Honour to be with the highest Respect Sir Your Excellency's most Obedient humble Servants,

Jas. Duane, Wm. Floyd,
John Jay, Fra. Lewis.

Reprinted from Clinton, *Papers* (Hastings), 4:580–82.

[1] Gov. George Clinton's February 9 letter to the New York delegates, which requested greater assistance for the defense of the frontiers, information on the arrangement of the army, and forms for letters of marque and reprisal, is in Clinton, *Papers* (Hastings), 4:555–56.

[2] For the correspondence of Clinton and Washington on this subject, see ibid., pp. 611–13; and Washington, *Writings* (Fitzpatrick), 14:189–90, 196–97.

Charles Thomson to Joseph Reed

Sir Philada Feby 19. 1779

I have the honour to transmit to you the proceedings of Congress in the cases mentioned or referred to, in your excellency's letter this day read in Congress.[1]

I beg leave to inform you that there has been no complaints made against genl Maxwell by the state or governor of New Jersey; the complaint was made by Mr. Clarke late a delegate from that state, as you will see by the extracts enclosed.

The case of lieut col Carrington is of a delicate nature. The attonement he made was so full and satisfactory, that could it have been done with propriety Congress would have willingly removed the whole from their journals, as that could not be done, they have taken the only step in their power, which was to order that this part of their journal should not be published.

From your wise feelings of honor, I am confident, that in any use Council may wish to make of these extracts, you will take care that lieut. Col Carrington's feelings may not be hurt. For though sometimes the manner of allowing for a fault sets a character in a fairer point of light than if no fault had ever been committed; yet to men of wise feeling it must give pain to have it publickly known they were once guilty.

I write this in friendship & confidence having no authority for so doing. I beg leave farther to inform you, that should your excellency or council

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have occasion for any minutes of Congress that are not directed to be kept secret, on the least hint to me, they will be immediately furnished.

I am, Sr., Your obedient humble Servt, Chas Thomson

RC (PHi: Gratz Collection).

[1] In its campaign against Benedict Arnold, the Pennsylvania Council, believing itself particularly aggrieved, was seeking information on how Congress had treated previous cases when states had complained of the conduct of Continental officers. For Reed's February 19 letter to President Jay requesting copies of Congress' proceedings against James Nicholson "on complaint of Governor Johnson of Maryland," against Edward Carrington on complaint of Virginia, and against William Maxwell on complaint of New Jersey, see PCC, item 69, 1:613-14; and *JCC*, 13:207-8. For the cases of Nicholson, Carrington, and Maxwell respectively, see these *Letters*, 6:683n, 8:84n.4; and *JCC*, 12:1255, 13:23-24, 129.

James Duane to George Clinton

Dear Sir Philad. 20th Feby 1779

Accept my Thanks for your Excellency's favour of the 2d Instant.[1] I wish I had time to make my Correspondence either interesting or amusing; but it has fallen to my Lot to be involved in a greater Share of Business than I can discharge with any Degree of Correctness or punctuality.

It was but within a few days that we learnd that the Maps and papers concerning the Claims of the Revolters from our State were in Mr. G Morris's hand. I came from Fishkill with Information and a strong Persuasion that they remaind in the Secretary's office. On all Accounts it is a favorable Juncture to settle the dispute with these male-contents, and I flatter myself that Congress will do what is right & for the general Interest: They certainly owe it to us as an Act of Justice setting Policy out of the Question: for some of their own Acts and much more the Conduct of two of their Generals have served to enflame the Ambition of the Revolters and flatter them that the Seperation was not disagreeable to the highest Power. The Acts of Individuals have gone still further: I trust however that all these Projects will be baffled by Right and Truth.

Our Finances are in a delicate & difficult situation. I hope however that we shall be able to restore the publick Credit in spite of the malice of our Enemies and the Avarice of our Citizens. I am pleasd to find a free Spirit of Enquiry in your news papers. We shall be happy in receiving Information: & I woud be far from discouraging those whose literary labours are employd in so interesting a Subject. And yet it seems strange that the real farmer[2] has never stopped to ask himself whether any Man woud touch Continental money after it had been taxed 25 per Cent; or even a fifth of that Sum!, By the Authority of Congress: To say nothing of the arbitrary assumption of power which must be implied in such an Act. Congress have a Right to call on the States for Contribution: but the mode of Taxation rests solely with their seperate Legislatures. I do not despair but

Remedies will be discoverd if the last Act of Congress shoud not prove effectual: We must give time for its' operation and as well as we can reconcile our Citizens to the distress which that & every other Means which can be devised will occasion. The paper money has been extended too far: like a disjointed Limb it cannot be reduced without giving Pain.

Mr. Duer has left this City & will I hear soon be married. I shall take the first opportunity to communicate the kind Sentiments you entertain of him, & these I hope will be seconded by the Legislature.[3] *Well done then good & faithful servant!* is a Reward to which no sensible Mind can be indifferent. It is a Reward which your Members in Congress study to deserve, & which while they act with Fidelity & Success cannot be withheld by a generous People.

A Resolution this day passed for supplying your Excellency with the military Commiss[ion]s:[4] but I fear they cannot be got ready in Time for our Express.

Be pleasd to make my Complimts acceptable to your Lady and Family: and believe me to be—with the utmost Regard—Dear Sir, Your Excellency's most Obedient & very humble Servant, Jas. Duane

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RC (NHi: Duane Papers).

[1] Clinton's February 2 letter to Duane is in Clinton, *Papers* (Hastings), 4:540-41.

[2] Doubtless a reference to the work of the New York writer who had recently employed the pseudonym "Real Farmer" to present a "Plan of Finance" that had already been denounced by Clinton and labeled "abominably wicked" by John Jay. See Jay to Clinton, February 19, 1779, note 2.

[3] Clinton had explained that the New York Assembly had recently acknowledged their thanks for William Duer's "Zeal for the Cause of his Country & his Exertions in its Favour," but that it had done so "informally to avoid a Precedent which they did not wish to establish." Ibid., p. 541.

[4] Apparently Congress' resolution directing the president to transmit to the state executives "blank commissions for officers in the line to be appointed by them." *JCC*, 13:217.

James Duane to Philip Schuyler

My dear Sir Philad. 20th Feby 1779

I recd your kind favour of the 5th Instant. I flatter myself you can never believe I neglect you even tho' appearances shoud be against me overwhelmd in Business to which I am more than ever exposd, I have not the smallest portion of time left for Relaxation or the Duties of Friendship. When I make this declaration I do not boast: I wish it was otherwise. But the Cares of Congress are swelled to an enormous Magnitude, and that persevering Industry which is more useful than Eloquence, even in a publick Assembly, is rarely to be found and where it is it is sure to be overloaded.

The General[1] has a great Esteem for, and writes confidentially to you. I need therefore say nothing on the military preparations you mention. Every Department & Detachment of the Army are put under his immedi-

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ate Care, and Congress have the most unlimited Confidence in his Wisdom & Judgement as well As his Zeal and Integrity. Congress I believe wish to give all his Operations what none have had hitherto, the advantage of Secrecy: for which Reason they have not been the subject of debate, & I fancy you are one of a very few with whom they are entrusted. I do not say this on account of Caution: to you it is unnecessary. I have Reason to think the General while attending Congress, or rather a Select Committee of five, expressed to many Members his Reluctance at your quitting the Army, I wished it coud be prevented.[2] No motion has however been made, & when it is I am apt to think it will depend on your Friends to turn the Scale. You will have a *strong advocate* in R. H. L. who took his seat this day.[3] You breath the Spirit of our Friend Mrs Schuyler—you pant for Retirement and private Life. She takes the advantage of me but tell her it will be owing to my own free Act if she is gratified: & that I am so far from having consented to gratify her: that it is more than probable I shall strive to disappoint her.

I have no News to communicate. Make my respectful Compliments to the *aforsaid* Lady and the whole Circle of our Friends—and believe me to be—with very great Esteem, Dear Sir, Your affectionate & most Obedient Servant.

Jas. Duane

RC (NN: Schuyler Papers).

[1] That is, George Washington.

[2] For discussion of Schuyler's resignation, see Duane to Schuyler, January 3; and John Jay to Schuyler, January 15, 1779, note 1.

[3] Duane's suggestion that Schuyler would now have "a *strong advocate*" in Richard Henry Lee, a zealous supporter of Schuyler's longtime rival Horatio Gates, is doubtless intended facetiously. The inference may be that Lee would simply prefer to keep Schuyler in the army to prevent his return to Congress.

John Fell's Diary

Saturday Feby 20th. [1779]

Commercial Committee. Letter from John Hart, relating to his Loss by Cloth taken from his fulling Mill, Committee of 3, Vizt. Dyer, Hill & Weatherspoon. Letter from Capt. Hector McNeal to be considered on Tuesday. Memorial of Lucy De Pasey.[1] Board of Warr do from Capt Celleron, to have a Brevet for the Rank of Major. No. Motion to allow him 1000 Ds. agreed Ay. Petition from Timothy Pening[2] to send a Vessell to Jamaica referrd to a Committee vizt. Adams, Dyer, & Collins. Report read about the Convention Troops in Virginia. 2 Auditors appointed for the Army, vizt. Varley and Powell.[3] Motion for Pay Master and Treasurer for the Marine Board, deferrd. Motion for 100,000 Ds for the Commercial Committee. Motion for the Officers to be furnished by the Quarter Master, with Portmantuas, and Valances at the Publick Expence.

MS (DLC).

[1] The February 18 memorial of Louis de Passern, "major of the regiment of Hesse Hanau" on parole from the Convention Army, who was seeking permission to return to Germany to recover from his injuries, is in PCC, item 41, 8:70-72. *JCC*, 13:214.

[2] That is, Timothy Penny. *JCC*, 13:217.

[3] Felix Warley and Alexander Fowler were elected auditors of the army this day. *JCC*, 13:217.

William Floyd to George Clinton

Philadelphia Feb. 20th 1779.

S'r,

The money which I Rec'd as of our Treasurer for the purpose of Bearing my Expences here, happened to be mostly of the two Emitions which were put out of Circulation about the time I arrived here. Some of it I have Changed, the Rest I cannot, without a Loss of ten per Cent. and God knows I am not in Circumstances to put it on Interest; therefore, I Enclose it to your Excellency, and Beg you would Desire Mr. Benson to give it to the Treasurer that he may make a memorandum on the back of my Receipt; there is 568 Doll's.

I Shall be under a Necessity (Contrary to my Inclination), to get from the Continental Treasury Some money on the Credit of our State to Bear my Expences.

Our necessary Expence here is far beyond any thing I had an Idea of.

As I Doubt not, you will be well Informed of Every thing that is passing at this place by my Brother Delegates, I Shall at this time, only Enclose a paper of this day's date and Conclude with Saying that I am with the Greatest Respect S'r your most obed't and humble Serv't

Wm. Floyd.

Reprinted from Clinton, *Papers* (Hastings), 4:584.

Francis Lewis to George Clinton

Phila. 20th Febry. 1779.

Dear Sir,

I have been honoured with your letter of the 1st Instant.

You will undoubtedly ere this reaches you hear the current bruit of the present time, i. e. that Congress are possessed of great news received from Europe but for reasons of State, think it improper at this time to be devulged; this has raised the curiosity of the public to know what the mighty Secret is. As a member of Congress I am enjoined to Secrecy, but think myself at liberty to communicate to your Excellency (in confidence) that Mons'r Gerrard has given Congress such intelligence as will put our affairs upon a more respectable footing than ever, but then it will be necessary that we exert ourselves in our military appearances, but above all in our unanimity, for the only hope Britain has now left, is to divide us.

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The Rumor has this good effect, that Engrossers & monopolizers are at a stand, many offer goods for Sale, but few choose to buy, so that goods fall in price, and our money appreciate; the Express waiting obliges me to conclude Your Excellency's most Obed't Humble Servant,

Fra. Lewis.

Reprinted from Clinton, *Papers* (Hastings), 4:583.

Marine Committee to Hewes, Smith & Allen

Sirs[1] February 20th. 1779

We are favoured with your letter of the 26th of December. We have determined to sell the Materials and Stores of the Continental Brig Independence which are under your care—The Cannon and their appurtenances—the arms & Ships Bell mentioned in the Inventory we would have reserved for Public use, therefore you will not dispose of those articles but have them safely kept for our future Orders. All the other articles after giving timely and Public Notice you will please to sell at public sale, and furnish us with the Account sales as soon as compleated.

We are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Hewes, Smith & Allen was an Edenton, N.C., commercial firm, whose leading partner was Joseph Hewes, a former delegate who returned to Congress in July 1779.

Gouverneur Morris to George Clinton

D'r Sir, Phila. 20 Feb'y 1779.

I pray you to accept my acknowlegements for your Favors of the 2d & 9th Instant,[1] being much ingaged in Business and in very ill Health I cannot dilate. Let me only observe that my Colleagues were very unfortunate in that they did not mention to me more early their application for the Papers &ca. relative to the pretended State of Vermont. Most, if not all of them, some maps excepted, are in my Possession. I am sorry to learn from you that the Tax Bill will not probably go through. To delay this beneficial measure is almost madness. Inequity must happen in a Tax of any kind. I can raise solid objections against that you mention. So perhaps can others, and so may any man of Genius against any Thing. For God's Sake tax & leave to a future Period, the equitable adjustment of these things. Let me be remembered to all Friends & believe me Yours,

Gouv. Morris

Reprinted from Clinton, *Papers* (Hastings), 4:584-85.

[1] For Governor Clinton's February 2 and 9 letters to Morris, see ibid., pp. 535-37, 556-57.

New York Delegates to Alexander McDougall

Sir[1] Philad 20th Feby 1779

We had the Pleasure of receiving your favour by Mr Barclay of the 11th Instant and beg you to be assurd that we shall always be ready to facilitate your Command and support your Applications for Assistance.

The Commander in Chief has spent some time here with A Committee of Conference. He is vested with the fullest powers to take every Department & Detachment of the Army, under his own immediate Superintendance, and all military Arrangements & Directions will pass thro' his Hands in future. He will, we are fully confident, exert himself to do every thing in his power for the Defence of our State, of which he, on all Occasions, speaks with particular Regard and with the greatest Concern for their Sufferings and Wants. Any Representation you find it necessary to make to him will we have no doubt meet Attention. We shall not be unmindful of your Friend Col. Putnam if the promotion you mention takes place, and no unsurmountable Obstacles with respect to Seniority &c lie in his Way. His merit is unquestionable.

Be pleased to present our Complemt to Col. Lamb and tell him that great Regulations in the ordinance Department have lately taken place: In Consequence of which a Surveyor of the ordnance with great Authority is to be appointed out of the Line of Artillery Colonels who are nevertheless to retain their Regiments etc.[2] We shall do ourselves the pleasure of getting him appointed to this office if in our Power knowing that he is well qualified to discharge it with Reputation, & presuming that it will be agreable to him. We are, Sir, Your most huml Servants,

Wm. Floyd John Jay.
Jas. Duane Fra. Lewis

RC (NHi: McDougall Papers). Written by Duane, and signed by Duane, Floyd, Jay, and Lewis.

[1] Gen. Alexander McDougall was at this time Continental Army commander in the New York Highlands.

[2] See *JCC*, 13:205–6.

William Whipple to John Langdon

My Dear Sir, Philadelphia 20th Feby 1779

Hearing of an express for Boston I improve the opportunity to inform you that an Order is issued on the Treasury for 500,000 dollars which will be forwarded as soon as possible to the Navy Board at Boston;[1] out of this sum I hope your present wants will be supplied. Collins tells me he has got a considerable Sum of money in his hands belonging to Barrell's estate but he is very doubtful whether anything will be left after the creditors are satisfied, which by the laws of this State must be first done.

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I wish you would furnish me with the amount of the cost already bestowed on the ship you are building as near as you can conveniently come at it.

My respects to the black eyed lady at your fireside; has she put you to the expense of another cradle yet.

Adieu yours &c. W.W.

Tr (DLC: Peter Force Collection).

[1] See Marine Committee to the Eastern Navy Board, February 21, 1779.

Samuel Adams to Samuel Cooper

My dear sir Philad Feb 21—79

By the last Post I sent to Mr W C some Extracts from an extraordinary Letter which I hope he has receivd.[1] I think our Apprehensions are thereby strengthned, of an intended Monopoly of all the Trade and I may add of the richest Lands in America. The private & publick Letters of my Friend on the other side of the Atlantick having honestly stated Facts and led to important Discoveries, have renderd him an object of the hottest Resentment of interrested Men. I protest to you solemnly that the warm Affection I feel for a Man whom I never saw, is founded in a thorough Conviction of his long and unremitted Attachment to the Interests of America & of Mankind. But I will leave this Subject for the present.

The Spring advances, and very probably some new Overtures may soon be made, if it is only to feel the Pulse of America. Perhaps there may be a real Design in the British Cabinet to propose Terms of Accommodation. We ought then to be previously thoughtful of so serious and momentous a Subject. I have Reason to think that Britain finds herself perplexd in the forming of Alliances and procuring Resources to her Satisfaction. She has repeatedly and in vain applied to Russia first for Ships of War & then for Troops. Her Disappointment may be owing to the superior Policy of France, who by interesting Russia as well as her self in the Affairs of Prussia & the Empress of Germany may have made it improper for Russia to take any Measure which may tend to involve Europe in War. I am affraid if we should be seriously engagd in negociating a Peace, there would be an intemperate pressing from without Doors for a speedy Conclusion, which would precipitate the Affair to our Disadvantage. It is probable that Peace may be the desireable Object in all the Courts in Europe while they are making the necessary Arrangements and preparing for War if that shd be the Event. If Britain should refuse to acknowledge the Independence of America a War with France & Spain wd probably ensue, and the flame would spread. In that Case, Britain might be obligd so far to withdraw her Troops from America as to leave it in our power *with the Spirit of Enterprize* to make such Acquisitions as wd ensure a safe & lasting Peace. But if Europe shd remain quiet & Britain, with the Acknowledgmt of our Independence shd propose Terms of Accommodation, would it be safe for America to leave Canada, Nova Scotia & Florida in her hands. I do not feel myself at a Loss to answer this Question; but I wish to be fortified with the Sentiments of my judicious Friend. You may easily discern that I write this Letter in the utmost Hurry.

Adieu, S.A.

FC (NN: Adams Papers).

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[1] The "extraordinary Letter" from which Adams took extracts for William Cooper has not been identified, and no recent letter from Adams to him has been found.

Marine Committee to the Eastern Navy Board

Gentlemen February 21. 1779

It is the request of the Marine Committee that the Providence Frigate be prepared for the Sea with All possible despatch and that she remain in readiness in the harbour of Boston with four Months provision, till their farther Orders.

The Committee have obtained a Warrant on the treasury, for five hundred thousand dollars for the use of your Department which will be forwarded to you immediately.[1]

We are Gentn, Your Humble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

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[1] *JCC*, 13:210.

Meriwether Smith to John Page

Dear Sir, Philadelphia, Feby 21st. 1779

I have recd. your Favor of 4th inst. on the Melancholy Subject of the wretched Condition of our Country, and I can truly say, with you, that I have *snatched a Moment* to answer it; For the Multiplicity of Business on my Hands & the Manner in which it is conducted here, renders the Tasks I have undertaken arduous indeed.

The Scarcity of Provisions throughout the Continent, & the amazing Depreciation of our Money which renders that Scarcity more severely felt, are much to be lamented; but these are Misfortunes which in the present Moment are without a Remedy, unless it be in the Fortitude & Exertions of the sensible & virtuous Part of the Community, who may destroy the depreciating Spirit which prevails, and by Precept & Example, encourage that *Industry* & *Frugality* on which our Safety & Happiness as a Nation depend. Every Preparation should be made to encrease the Quantity of Provisions in Virginia the present year. Nothing can be more advantageous to the Country; for even should we be happy enough to obtain

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Peace & Independence (and I do not despair of either if we continue firm & prudent) Virginia will be the Market to which all the States to the eastward of Pensylvania will immediately apply.

The Governor & Council are vested with Powers to dispose of the Convention Troops as the Necessity of the Case may require.

The 11th & 12th Articles of the Treaty of Paris are given up by France.[1] It is impossible for a Nation to act with more Disinterestedness; and every Day affords us fresh proofs of her Friendship. Whilst I know this, I cannot but feel an Indignation against the Conduct of those little Politicians (not to say worse of them) who know not how to distinguish between the Nation & a few individuals of the Nation; and who are so much under the Influence of Folly & Prejudice, that, when Harmony with that Nation is essentially necessary to our Safety, they are daily sowing the Seeds of universal Disgust.

I beg that the People of Virginia will not think that the Disputes of Messrs. Lee & Deane can be attended with any Serious Consequences to these United States. Believe me they would not deserve the serious Attention of a Moment if they did not interrupt the Business which is of more Importance.[2]

I beg you to present my respectful Compliments to your Lady & beleive [me], yr. affe. hble Servt. Meriwether Smith

RC (DLC: Miscellaneous Manuscripts).

[1] For the comte de Vergennes' declaration, dated September 1, 1778, that Louis XVI "consents to the suppression of the eleventh and twelfth articles" of the Franco-American treaty of commerce, in accordance with a request made to him by Congress, see *JCC*, 11:461-62; and PCC, item 105, fols. 120-26. See also these *Letters*, 9:659-60. This declaration was enclosed in a November 7, 1778, letter from the commissioners at Paris that was read in Congress on February 24. See *JCC*, 13:245; and Wharton, *Diplomatic Correspondence*, 2:699, 830.

[2] This judgment is a curious one in light of Smith's own considerable contributions to efforts to embarrass the Lees when opportunities arose. See Smith to the Public, March 9, 1779.

John Fell's Diary

Monday Feby 22d. 1779.

Rains. Commercial Committee. Congress. Letters from A Lee at Paris.[1] Letter from Wm Bingham Agent at Martinico Per the Revenge Cutter[2] wth. One Case of Tea & 50 Chests of Arms. Long debate abt the Forign Committee. A Lee, beleives the British Commissioners have orders to acknowledge Our Independcy.[3]

MS (DLC).

[1] Fell had apparently confused letters from Arthur and William Lee. In fact, Congress this day read William Lee's September 12 and 21, 1778, letters with a draft treaty between the United States and the United Provinces and submitted them to the "committee on the letters lately received from A. Lee." *JCC*, 13:219-35.

[2] Probably William Bingham's January 27, 1779, letter to the Committee of Commerce, which is in the Continental Congress Miscellany, DLC.

[3] Since this information was discussed in William Lee's September 12 letter, Fell apparently confused Arthur with William in this portion of his entry also.

John Jay to George Washington

Sir, Philadelphia 22nd Feby. 1779

I am this moment honored with Your Excellency's Favor of the 19th Inst. It shall, with the Papers enclosed, be communicated to Congress this Morning, & their Orders on the Subject immediately transmitted to You.[1]

Your Excellency will find herewith enclosed Copies of two Acts of Congress, of the 20th Inst: One respecting Brigr. General McIntosh, & the Proceedings of a Court Martial held by his Order[2]—The other relates to supplying the Officers with Portmanteaus &c.[3]

By a Vessel, which arrived yesterday in fourteen days from Martinico, the Minister of France received a Letter; he has been so obliging as to favor me with the enclosed Extract from it.[4]

I have the Honor to be, with the greatest Respect & Esteem, Your Excellency's most obedient & hble servt, John Jay. Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston, with complimentary close and signature by Jay.

[1] Washington's February 19 letter to Jay is in PCC, item 152, 7:111, and Washington, *Writings* (Fitzpatrick), 14:134. For the "Papers enclosed," see Jay to Charles Lee, February 23, 1779, note.

[2] *JCC*, 13:213. For the disposition of the proceedings pertaining to the court-martial of deputy quartermaster Col. Archibald Steel ordered by Gen. Lachlan McIntosh at Fort Pitt, see Jay to Washington, April 12, note 4; and Jay to Washington, April 25, 1779, note 2. McIntosh explained his decision to court-martial Steel in his letter to Congress of January 11, 1779. PCC, item 162, fols. 280–83.

[3] *JCC*, 13:214–15.

[4] Gérard's informant, who dated his letter "Martinico 27th Jany 1779," reported that the British were still at St. Lucie but were "paying for their Impudence by the burial of from 12 to 15 Soldiers every day." Washington Papers, DLC.

John Fell's Diary

Tuesday Feby 23d [1779]

Commercial Committee. Congress. Sundry Letters Read. Committee of Conferrance with Mr Gerrard brought in a Report, after long debate agreed to consider on the Report on Thursday in a Committee of the whole House. 6 P.M. Committee on forreign affairs.

MS (DLC).

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John Henry to Thomas Johnson

Dear Sir Philadela. Feby. the 23d. 1779

I am much obliged by your favour of the 20th and its inclosures. I shall read it with much pleasure, as I have a great affection for the Virtue, person and principles of the author.

No late advises from Georgia. Letters just received by the Minister inform us that the English are still in possession of St. Lucia. I wish they may be mad enough to hold it some time longer. They will then know and experience, what has always been said of St Lucia, that it is the grave of Europeans. They are very sickly and die from ten to fifteen every Day. The British Fleet is superior to the French, but will not I hope remain as long, as ten sail are daily expected from france.

The Deane has taken two prizes one of 16 Guns and 60 Men which is safe arrived at Boston, the other being of little value was burnt at sea. The Marine Committee have ordered four other ships for the protection of the Southern trade. Some of them I hope will soon be there.

The Revenge Cutter is just arrived from Martinique. This ship is a curiosity. She has taken 66 prizes and never met with her equal in swift sailing.

The Intelligence which Congress has received shall be communicated to you, as soon as I am at Liberty.

As you have Correspondents in France, who may favour you with new publications, if you have any others, I should be obliged to you for the perusal.

I am Sir with Sincerity and affection, Yrs. J. Henry

RC (MdAA: Red Books).

John Jay to Charles Lee

Sir, Philadelphia 23d Feby. 1779

Under the same Cover with this you will find a Copy of an Act of Congress of the 22nd Inst. The Letters alluded to in it are also herewith enclosed. The propriety of the transaction which is the Subject of them may be deemed questionable, Congress therefore have no doubt but that You will explain it.[1]

I am Sir, Your most Obedt. & Hble Servt. J.J.

LB (DNA: PCC, item 14).

[1] Unsealed letters for General Lee from friends in New York concerning the negotiation of bills of exchange for hard money had been forwarded to Congress by General Washington. Congress immediately resolved to forward the letters to Lee, but also decided to require an explanation. For Lee's explanation of this affair, and Congress' response to his explanation, see *JCC,* 13:218, 253-55, 259-60; PCC, item 158, 1:133-38, 159-62; and Jay, *Papers* (Morris), pp. 564-66. When Lee's initial request was received, opponents attempted to embarrass

him by offering a motion to "disapprove of his negociating his bills in New York," which passed by a vote of five to three on February 26. But after he made a second appeal, declaring that the affair was an innocent business transaction that could not "be prejudicial to this Continent," Congress somewhat relented and on the 27th directed the Board of Treasury "to advance to General Lee three hundred pounds sterling in gold and silver . . . and take his bills therefor."

John Jay to George Washington

Sir, Philadelphia 23d Feby. 1779

Congress consider Genl McDougall's Application worthy of Attention, & the better to enable your Excellency to comply, if you think proper with his Request have ordered a thousand Dollars to be forwarded to You. The enclosed is a Copy of the Order for that purpose.[1]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellys. most Obedt & Hble Servt. J. Jay.[2]

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:218. In a February 19 letter to Jay, Washington had explained that Gen. Alexander McDougall had asked him for "one thousand dollars in hard cash without delay," but that he had only been able to send him "fifty guineas, which were all I could spare out of my stock." Washington, *Writings* (Fitzpatrick), 14:134. McDougall had discussed his need for this money in a letter to New York Gov. George Clinton of January 20. Clinton, *Papers* (Hastings), 4:501–2.

[2] This day Jay also wrote the following brief letter to Lt. Jean-Baptiste-Georges, chevalier de Fontevieux. "I have the pleasure of transmitting to You the enclosed Copy of an Act of Congress of the 17th Inst by which You will perceive that your Request to serve the ensuing Campaign as a supernumerary Lieutenant in Colonel Armand's Corps is complyed with." See PCC, item 14, 1:53; and *JCC*, 12:1211, 13:57, 191–92.

Marine Committee to a Baltimore Merchant Committee

Gentlemen February 23d 1779

Your Letter of the 4th of February addressed to Congress was read the 12th and referred to the Marine Committee who have had it under their Consideration.[1] They Sympathize with you, in your losses, and are anxiously disposed to give you all the protection that can be expected from the Continental ships of war.

It gives us much concern that you should suppose yourselves neglected by your friends. The great dificulty of Manning the Ships, and the Superiority of the enemy has prevented them from being of that extensive use which might be expected. Yet we trust when you are acquainted with the determinations of the Committee long before the receipt of your Letter, you will not suppose yourselves neglected or conceive greater attention has been paid to One part of the Continent than another. You must

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recollect that Captain Barry was some time ago ordered on the station of Chesapeake, but was unfortunately taken in his passage. Since that time the Deane has sailed and ought now to be on the Coast of Chesapeake. Every exertion has been made and is still making to equip the rest of the ships. The Queen of France we expect has Sailed before this time. The Ranger, Confederacy & Providence will soon follow them. The Baltimore of 12 Guns in this Port is ordered to be fitted out with the utmost despatch for the same purposes. They have very Special Instructions and the main Object of their Cruize is the protection of the Southern Trade particularly that of the Delaware and Chesapeake. They are in the first place to Sweep the Coast from the Southward of Cape May to the Bar of Charles Town and afterwards to continue in such Latitudes and longitudes as are best calculated to give the greatest protection to the trade of Delaware & Chesapeake, and as often as circumstances and the safety of the Ships will admit of it, they are to enter the Mouths of the two Bays for the purpose of destroying the small armed Vessels that infest them. The Brig Baltimore in this port we have some apprehensions we shall be unable to man. Her Size you are well acquainted with and is one of those Vessels which in your Opinion are best calculated to aid and protect your Trade. If you can Afford us any Assistance in manning this Ship, or can point out any other means in which we can co-operate with you, we are desirous of doing it. The Gallies of Maryland have been represented to us a[s] sufficiently formidable to repell the Privateers that come within the Bay. These are Vessels which we think ought to engage your attention. Every State has A Number of Armed Vessels for its own defence and upon application to the government of Maryland, which we recommend, we have no doubt but your laudable exertions will meet with their encouragement and Assistance; If that and the measures already adopted by the Committee should prove ineffectual and you can devize any further means we shall readily afford all the aid in our power.

We Are Gentlemen, Your Obedt Servants

P.S. Since writing the foregoing letter we have advice that the Deane from bad weather, and sickness of her Crew, had steered to the Southward.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book). Addressed: "Messrs. William Smith, Saml. Purviance, Archd. Buchannan, John McLure, & Richard Curson, in behalf of the Merchants of Baltimore."

[1] See *JCC*, 13:178–79. This February 4 letter is not in PCC, but for another letter, dated January 29, 1779, from the Baltimore merchants, to Maryland governor Thomas Johnson, suggesting measures for the naval defense of the Chesapeake, see *Calendar of Maryland State Papers: The Red Books*, 3 vols. (Annapolis: Hall of Records Commission, 1950–52), 3:51. For the formation of this committee and the merchants' concern for the protection of Chesapeake Bay, see also Robert Purviance, *Narrative of Events Which Occurred in Baltimore Town during the Revolutionary War* (Baltimore: Joseph Robinson, 1849), pp. 82–83.

John Fell's Diary

Wednesday Feby 24th. [1779]

Commercial Committee. Congress. Letters from the Commissioners at Paris to know the Colours used Per the different States, referrd to the Marine Committee, And also how to treat with Algerines, Referrd to Mr Carmichael, Nelson & Burke, Members chose to fill up the Marine Committee vizt. for Virginia R.H. Lee, Pennsylvania Mr Searle, New Jersey Mr Fell, Treasury Board Mr Frelinghuysen, Committee on foreign Affairs Mr Dyer. A Soldier Condemned Per a Court Martial, Pardoned.[1]

President Reeds Letter and Papers relating to Major Clarkson Read, and several motions made respecting him, occasiond long debates till Past 5.[2]

MS (DLC).

[1] Patrick Roach, of Col. Thomas Hartley's newly reorganized 11th Pennsylvania Regiment. *JCC*, 13:247.

[2] Samuel Holten recorded in his diary this date: "Congress sit late. Mr. R Temple from Massa. Bay arrived here." MDaAr. For further information on the motivation for Robert Temple's trip to Philadelphia, see these *Letters*, 5:41n.1.

Francis Lewis to George Clinton

Dear Sir, Phila. 24th Febry. 1779.

I had the honor of writing to you on the 20th Instant acknowledging the receipt of your favor of the 1st.[1]

I now embrace this opportunity of transmitting you a Pamphlet entitled, "Considerations on the Mode, & Terms of a Treaty of Pease with America,"[2] together with the papers lately published here; We have also news of a private nature from Europe, such, as is in no wise disagreeable to Congress, but for reasons of State is not thought proper as yet to be divulged, but will be published in due season.

It will be absolutely necessary that we exert ourselves in bringing a respectable army into the field the ensuing Campaign, as in all probability it may be the last, As to the transactions in the W. Indies I must beg leave for reffer you to the printed papers herewith. The British Troops are in possession of Georgia but we are in hopes of their being soon dispossessed.

The Public, being apprised of some good news received by Congress, tho' not transpired, has already caused great confusion among Engrossers, & Speculators, who are now offering their Hoards for sale, but few incline to purchase; this has occasioned the fall of Goods, & consequently the

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appreciation of our money. I am with great respect Dear Sir Your very Humble Servant, F. Lewis

Reprinted from Clinton, *Papers* (Hastings), 4:585-86.

[1] Governor Clinton's brief February 1 letter to Francis Lewis is in Clinton, *Papers* (Hastings), 4:532-33.

[2] This British pamphlet, *Considerations on the Mode and Terms of a Treaty of Peace with America*, which Edmund Jenings later claimed to have written, had been printed in London in 1778 and was reprinted in Philadelphia by Hall and Sellers in 1779. See Evans, *Am. Bibliography*, nos. 16245-46; and Thomas R. Adams, *The American Controversy: A Bibliographic Study of the British Pamphlets about the American Disputes, 1764-1783*, 2 vols. (Providence: Brown University Press, 1980), 2:562.

John Fell's Diary

Thursday. Feby 25th. [1779]

Commercial Committee. Congress. Letter from Major Genl Mifflin desireing leave to Resign his Commission, after long debate it was accepted. At the Request of the Assembly for the State of Pensylvania, agreed to Raise 5 Companys of 73 Men Each for the defence of the Western Frontiers, the Acct to be transmitted to the Commander in Chief. Dr Wetherspoon went home.

MS (DLC).

John Fell's Diary

Fryday Feby 26th [1779]

Commercial Committee. Congress. Letter from Gl Lee to Negotiate in N York Some Bills of Excha. for Gold to Purchase Negroes, Vote pas'd in the Negative.[1] Report for Masachusets & Rhode Island, to send for Flour to the Southern States, agreed under Restrictions of their several Governors &c.[2]

6 P M. Attended the Committee on foreign Affairs. Agreed to Mr Laurens, Mr. Paca & Mr. Burk drawing a Report.

MS (DLC).

[1] For Lee's efforts to secure permission to negotiate some bills of exchange through friends in occupied New York, see John Jay to Charles Lee, February 23, 1779.

[2] Fell did not mention that in an effort to spur prompt attendance by delegates, Congress had this day, just before adjourning, directed Secretary Thomson to "prepare a roll of the members of Congress and call the same over every morning at 10 oClock." *JCC*, 13:258.

John Jay to George Washington

Sir, Philadelphia 26th Feby. 1779.

Your Excellency will receive enclosed with this Letter Copies of two Acts of Congress, one of the 18th Inst. establishing Regulations for the Department of Inspector General[1]—The other of the 25th respecting the Defence of the Western Frontiers, with the Applications of Connecticut, New York, and Pennsylvania to Congress on that Subject.[2]

I have the Honor to be Sir, with the greatest Respect & Esteem, Your Excelly's most Obedt. & Hble Servt. J. Jay

LB (DNA: PCC, item 14).

[1] *JCC*, 13:196–200. Jay also enclosed Congress' "Plan for the Department of Inspector General" in a brief letter of transmittal to Baron Steuben this day. PCC, item 14, fol. 54–55.

[2] *JCC*, 13:251–52. In his March 3 response to Jay acknowledging receipt of these "Applications," Washington reported that "A plan of offensive operations for the effectual relief of the Western frontier has been some time since determined upon and preparations are making in consequence." Washington, *Writings* (Fitzpatrick), 14:180. For a discussion of the evolution of Washington's plans for offensive operations on the New York-Pennsylvania frontier, see Freeman, *Washington*, 5:97–98. See also Daniel Roberdeau to John Bayard, February 16; and New York Delegates to George Clinton, February 19, 1779.

Samuel Adams to Mercy Scollay

My dear Friend Philada. Feby 27, 1779

I felt my self so much interrested in the Subject of your Letter of the 28th of January, that I should have immediately answerd it, if it had been in my Power. When I receivd it, General Arnold was absent from the City on a Journey; and when he returnd, I was confind to my Chamber by bodily Indisposition, which has been my Lot several Times this Winter. I have since waited on him. He informd me that he had written to you. I thankd him in your Name for the Kindness he had shown to the Children of our deceasd Friend.[1] I assured him they were in good Hands and that he might fully confide in your Care of them. He mentiond them with so much Tenderness, that I am led to think they will reap still further Benefit from his Generosity. For the "benevolent Exertions" of this Gentleman, you are "beholden" to *Him*, who provides for the fatherless Children. *He*, by a secret Influence, directs the charitable Hand to particular Objects. It does not, however, lessen the Debt of Gratitude to those, whose Hearts are touched with the Necessities of the meritorious, and whose Purses are open for their Reliefe. May Heaven graciously reward the Benefactors of these orphans! While Providence affords you the Opportunity, you will instill into their young Minds the Principles of Piety and Virtue, and thereby lay a Foundation for their being hereafter useful and happy.

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Be pleased to present my due Regards to your father and Family, and be assurd that I am sincerely, your Friend & very humble Servant,

Saml Adams

RC (MHi: Bigelow Papers).

[1] Gen. Benedict Arnold had offered to help support the orphaned children of Gen. Joseph Warren of Boston or raise a private subscription for their care—a step he endeavored to take the following year. The children were being cared for by Mercy Scollay, for whom see these *Letters*, 6:458-60. Adams, who thought that either the Massachusetts government or Congress should make direct provision for the Warren children, later joined in another private subscription plan. See Massachusetts Delegates to John Hancock and Samuel Adams, November 19, 1779; and Adams, *Writings* (Cushing), 4:167-73.

John Fell's Diary

Saturday Feby 27th. 1779.

Commercial Committee. Congress. Letter from G Lee, Referrd to the Treasury Board. Order of the Day. The house went in to a Committee of the whole, Coll Freelinghuysen went home.

MS (DLC).

John Jay to Catharine Livingston

Dear Kitty[1] Philadelphia 27 Feby 1779

Accept my thanks for your friendly Letter of the 20th Inst.[2] I am happy to hear that Sally has enjoyed so great a Share of Health during the Winter. It is a Blessing which has been sparingly dispensed to her for these three Years past; tho I still flatter myself that by Care & Attention it may yet be re-established. Her want of Spirits is an unfortunate Circumstance, and I lament it the more, as it results from a Cause in which I am nearly concerned.

I have been from Time to Time deceived in my Expectations of getting a House. We hired Mr. Gurney's in January—he promised to move the 10th Feby.—about that Time Mrs. Gurney fell sick, & still continues so. When her Health will permit her to quit the House is uncertain, tho I hope it will not be long—especially as the approach of Spring will invite her to the Country; where she was very averse to spending any Part of the winter. Assure Sally that the Moment this Obstacle ceases, she may expect Brockholst; and you will oblige me by favoring us with your Company.

The fireworks and Entertainment at the Camp, are said to have been well concerted and well executed. The Number of Ladies who were present must have added greatly to, what Johnson calls, the *Celebrity* of the Occasion. To this I am persuaded, my Correspondt. contributed not a little; at least if one may judge from her Intimacy with the Graces, who generally display Taste in the Choice of their Company. That You should be a little mortified at not meeting with your Brother, I can concieve and account for; but what those other more important Mortifications should be, I cannot so easily divine or comprehend: but this is a Subject we will reserve till we meet.

Your Account of your Nephew pleases me, particularly that part of it which relates to his Excursions—more Attention you know, is due to his Health and Constitution, than to his Caprices or Complection—Unfortunately this Doctrine is treated as heritical by too many of your Sex. I regret your Mama's Indisposition as well on her own Account as that of the Family, but as mild Weather and dry Roads will soon enable her to partake of the Benefit of Air and Exercise, I hope her Health will mend.

Since when have you been an Invalid? You appeared to be very well when I left you—I fancy Philadelphia will agree better with you than Persipiney—I'll tell you why, when I have the Pleasure of seeing you. I have seen the Colonel, and heard of the attachment you mention, but as I seldom write a Letter without adverting to the Possibility of its miscarrying—Prudence bids me postpone a Discussion of this Subject.

Two Years have elaspsed since I have seen the Beauty you mention. In that Interval you know, Changes for the better or worse may have happened.

The City has been, and indeed still is very gay—no appearance of War or Want. Many Circumstances deprive me of partaking largely of these Pleasures. Business on the one Hand, and Sallys Absence on the other, allow me little Time or Inclination for them.

A Report has just reached us that the Enemy have visited Elizabeth Town, and burnt your Fathers House. This if True is a misfortune to the Family, which I hope they will bear with Fortitude and Dignity. Similar Losses have been my Lott. They never have, and hope never will cost me an Hours Sleep. Perseverance in doing what we think Right, and Resignation to the Dispensations of the great governor of the World, offer a Shield against the Dart of these Afflictions, to every body that will use it.

I am Dear Kitty, Your affectionate friend & Brother,

John Jay.

Sunday. An express from General Washington delivered me a letter from him this morning on the Subject of the Enemys Excursion to Elizabeth Town. From the Account sent him by Gen. Maxwell it appears to have been nothing very formidable—he mentions the burning of two or three Houses, but does not mention yours as being one of the Number, from this Circumstance I presume it is still standing.

I dined t' Day with Mrs. Lawrence at the Plantation—they are as hospitable and agreable as ever, and desire me to say twenty civil things to you and Sally. The younger Daughter has grown a fine Girl. I think she has more Beauty than any Young Lady of her Age that I have seen in Philadelphia. Adieu.

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RC (MHi: Ridley Collection).

[1] Catharine Wilhelmina Livingston (1751-1803), the older sister of Jay's wife Sarah.

[2] Catharine's February 20 letter is in Jay, *Papers* (Morris), pp. 563-64.

John Jay to the Massachusetts Council

Gentlemen, Philadelphia 27th Feby. 1779

You will find herewith enclosed a Copy of an Act of Congress of the 26th Inst. on the Subject of supplying the People of your State with Bread.[1] I hope the mode, will meet with your Approbation; and that the Success of this measure may be equal to the desire of Congress to afford You Releif.

I have the Honor to be, Gentlemen, With great Respect, Your most Obedient and Humble Servant, John Jay, President

RC (M-Ar: Revolutionary War Letters). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 13:257–58; and Samuel Holten to the Massachusetts Council, February 9, 1779, note 2. Jay also sent a copy of the same act in a similar brief letter of this date to Rhode Island Gov. William Greene. PCC, item 14, fol. 56.

Gouverneur Morris to the Pennsylvania Packet

[February 27? 1779]

To the Quakers, Bethlemites, Moderate Men, Refugees and other the Tories whatsoever, and wheresoever, dispersed. Peace.

I[1] entered into the American contest from a love of my fellow-creatures. Lamenting as a Philosopher the consequences of my conduct as a citizen, while I strove to expel despotism I wept over the victims of ambition. That principle which first prompted me remains uneffaced, nor can I except from amongst men, even those who are my enemies. Equally capable of freedom with others it is my earnest prayer that *you* may equally deserve it. The effects of prejudice are known, and humanity calls on us to remove it if possible; for the same bosom which flows with indignation against guilt, melts in pity of ignorance. But I intreat you to remember, that men who shut their eyes against the light, as they will deserve, so will they receive a double measure of punishment.

That it is the will of Heaven, mankind should be free, is evidenced by the wealth, the vigor, the virtue and consequent happiness of free States. And the idea that providence will establish such governments as he shall deem most fit for his creatures without their efforts is palpably absurd. Did he overturn the walls of Jerusalem by the mere breath of his mouth, or did he stir up the Romans to add Judea to their other provinces? In short, is not his moral government of the earth always performed by the intervention of second causes? How then can you expect that he should *miraculously* destroy our enemies, merely to convince you that he favours our cause? Sufficient notifications of his will are always given, and those who will not then believe, neither would they believe though one should rise from the dead to inform them. Trace the progress and mark the incidents of the war, and you will see evident tokens of providential favor. For whether our success be owing to the folly of our opponents or to any other immediate cause, we are equally indebted for it to the bounty of Heaven. Many of our measures which you perhaps justly considered as unwise, have by an amazing coincidence of circumstances become the corner-stones of independence. And on the other hand, many of the enemy's most brilliant successes which made your hearts to sing for joy, have produced to you nothing but bitterness and woe.

I am led to these reflections and to this address, partly from perceiving and more from being informed, that you derive pleasing hopes from the following circumstances. First, the taking of Georgia. Secondly, the calumnies against Congress, and supposed divisions among them. And Thirdly, the symptoms of discontent, lately exhibited by the Executive Council of Pennsylvania. I shall take notice of these in their order, make some short observations on public affairs, and then leave you to judge. I exhort you to read with attention, and to determine with that coolness which is due to a subject so important to your welfare, perhaps your existence.

The expedition against Georgia was dictated by the necessities of the British army, and the danger of their own dominions. In the first case they expected considerable supplies of rice for an army, and for islands in a starving condition. In the second they labored to establish a barrier between these States and East-Florida, the better to secure that latter, and thereby in case of a war with Spain check the free navigation of the gulf of Florida, thro' which the treasures of the new world are conveyed to Europe. The consequences are, first, to inspirit your brethern in the Southern States, and thereby to purge them of men who would have been pernicious members of a free society. These men will be justly stripped of that property and those rights which they have not spirit to contend for, and by banishment, poverty and lasting remorse expiate the guilt of endeavoring to subjugate their fellow-citizens. Secondly, this expedition will rouse the States of North and South-Carolina. They will derive from it that energy which is acquired in a state of war, and which produces obedience and subordination so necessary to society in a state of peace. But thirdly, what is of more importance to such of you as dwell in the middle and eastern States, is, that by dividing the force of your friends, whatever may be the lot of those wretches who are doomed to wrestle with a baneful southern clime, it renders their army at New York less efficient and consequently less capable of assisting you.

As to the calumnies against Congress and supposed divisions in that body, you are greatly tho' not altogether mistaken in the latter fact, and at any rate draw from it very false conclusion. The late abusive writings shew indeed the illiberality of the respective writers, but by no means impeach those against whom they are directed. Being equally indifferent to the several performers, I wish not to balance their respective merits. This is certain that Billingsgate language marks at most a Billingsgate

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education, and among those who know the real value of such performances, the reputation of a virtuous citizen will not suffer more from the scurrility of a news-paper, than from the nervous diction of an oyster-wench. The licentiousness exhibited on these occasions, demonstrates the existence of liberty, which is a pleasing consideration to those who have a value for it. And altho' such productions may offend individuals, yet they are not without use to society, in like manner as the blasts of winter tho' keen are wholesome. We may further deduce from it the falacy or rather falsity of what was once a favorite position among you, that people did not dare to utter their sentiments, neither is it unworthy of your attention that the various attacks upon Congress have not drawn the least notice from that body. From hence it is to be concluded that they have a well founded confidence in themselves, for did the shaft stick, it would make the body sore. And nothing is truer than this, that little minds are more resentful than great ones, and truth more resented than falsehood. From some acquaintance and good information I will venture to add, that the present Congress considered in the double view of abilities and integrity is at least as respectable as any which hath yet been assembled. Let it not be concluded from this, that I conceive the individuals of that body to be of a superior nature. They like other men are subject to passions, prejudices, weaknesses and the influence of the elements, and since the Deity chose one Judas among twelve disciples, it cannot be wondered at if among a much greater number some few should be charged with peculiar pravity. But this by no means militates against the general observation.

To say there are divisions in Congress is only saying in other words that it is a popular Assembly. Different views of the same subject naturally lead men to differ in sentiments. Personal connections excite personal emotions, and the conflict of such emotions sometimes produces personal altercation. The heats inevitable on such occasions seldom evaporate within the walls of one house, but stimulate to bitter observations easily credited, because they flatter a self-importance which is uneasy at any kind of superiority. Perhaps you will ask how it happens that such things did not exist formerly? They did; but the public dangers and distresses taught men to keep more secret those things which they readily divulge in an hour of greater security. The appearance of such divisions therefore in personal matters are striking marks of national prosperity, and you will find, that however the members of Congress may disagree about who shall be in and who shall be out, they will be firmly united in refusing to accept the independance Great-Britain is about to offer, and insist on a clear, explicit and pointed acknowledgment of it in the most extensive sense previous to any treaty whatsoever.

For what regards the dispute between the Executive Council of this State and Congress it is, as far as your views may be served by it, the most trifling of all trifling things. Stimulated by a laudable zeal to discover public abuses, their suspicions were turned on one to whose gallantry America is much indebted. Greatness and weakness are sometimes nearly allied. That spirit which carried him in triumph over the fields of honor, induced a want of respect for Magistrates to whom he did not deem himself accountable. Charity bids us believe that conscious innocence inspired an elevation which he would not have felt under the pressure of guilt. Perhaps also it was regard to the privileges of his brother soldiers which rejected submission to other than a military tribunal, when his conduct as an officer was arraigned. These and many other reasons doubtless suggested themselves to the Council, and had they been at liberty to obey those dispassionate sentiments which embellish their high office, his refusal might perhaps have been disregarded. But on the one hand attachment to the interests of America, and on the other divisions in their state and doubts about their authority, which naturally rendered them more jealous of it than those to whom dignity and power are familiarized, these motives would not permit a moment delay in pursuing the interests and vindicating the majesty of the people. Perhaps there may have been some little personalities concerned, tho' the reverence which is due to the Supreme Executive of an independent State, opposes the idea. But be this as it may, Congress seems to have viewed the matter somewhat differently from the State. Conscious of possessing the love and respect of their countrymen in arms as well as of others, they were not open to angry impressions, which indeed are of little use either in public or private life. Affection also for an army which hath served them so faithfully, so generously, might raise some prejudice in favor of it's members; as an indulgent parent smiles at the petulant vivacity of a favorite child. They did not therefore catch the resentments of the Council, and tho' determined to support the authority of a State, they were not eager to blemish the reputation of a worthy soldier. The Council probably influenced by good reasons which they will undoubtedly declare at a proper time, came to certain resolutions which they have published and transmitted to the several States. But this little feverish ebullition, and the ridicule which many have attemted to cast upon it, can do no good to you. The Assembly of Pennsylvania which by their constitution is of real importance, acts in perfect harmony with the Congress. And depend upon it, whatever your leaders may flatter you with, the Whigs of Pennsylvania will not engage in any dispute with the representative body of America to the prejudice either of the acknowledged rights of that body, or of the privileges of those brave citizens who have drawn their swords in the cause of Freedom.

And even if any such dispute should exist, can you suppose, that in case of necessity, the President of that State would hesitate a moment to head his militia? That he would not instantly take the field with his wonted alacrity? That he would not fight under the banners of America with his former zeal? Those who know him know better. It would be equally absurd for you to suppose that the Council are disposed to promote public divisions, in order to favor the negociations of the enemy. Do not dwell on the mysteriousness in Doctor Berkenhout's affair. It is nothing new that an

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artful man should impose upon the unsuspicious. Honesty and knowledge are very different things, and of the two the former is the most amiable.

As little ground have you for hope in the depreciation of the Continental money. You know that this is in a great degree to be attributed to the arts of interested men whose efforts to acquire it shew their conviction of it's value. I know it hath been a fashionable doctrine, that after the emissions should amount to a certain sum, the bubble, as the phrase was, would burst. But the absurdity of this to men acquainted with human nature was evident. The reasons are needless, because we may appeal to experience to shew whether there is the least danger of this event. When two emissions were called in, and every method, consistent with justice and good faith, taken to stop their circulation; those who had principally contributed to depreciate the money were the very persons who continued to receive the vicious emissions. For as soon as it became a question, whether they should lose not the value, but merely the use of so much money, they made every effort to uphold the credit of it. A few days ago, when a report prevailed of the arrivals of some favorable intelligence from Europe, such of you as are in this city cannot but remember the rapid fall of every article, specie not excepted. Hence the deduction is clear that the money issued by Congress is intrinsically worth what they contend, but is depreciated by the quantity in some degree, and more by the arts of engrossers. Take the familiar proposition, that a country will easily bear taxation to the amount of some given part of the circulating medium, suppose a tenth, tho' in fact one fifth may be raised among a free people, and you will see that, let the paper medium be increased to any degree, it may be sunk in a short period.

Not pretending to great knowledge of national secrets, and little desirous of communicating whatever of this kind it hath fallen to my lot to know, I shall reason with you on these things as I have reasoned for myself, and I trust the event will verify my conclusions. And first I consider it to be manifestly the interest of every Court in Europe to foster our independence because it is in effect the dividing a great empire, whose power was formidable, and whose insolence was insupportable.

Beginning with Russia; iron, potash and such other commodities as that country produces in common with this, will now have equal advantages at the London market, because no bounties will in future be granted by Parliament to the produce of these States. Sailcloth and the other articles produced there and consumed here will come hither directly from thence, and in direct return they will take our rice and tobacco, the commercial advantages of which are evident, not to mention the increase of naval force they may expect from it. Add to these solid reasons of national interest the personal character of the Empress. This is strongly marked by benevolence and the love of that fame which results from contributing to the happiness of mankind, a disposition evidenced by giving to her subjects all the liberty they are at present capable of. These considerations will naturally lead you to the answer filled with disdain which she gave to a proposal of the British Ambassador requesting her troops to subdue us.

"My glory shall never be tarnished by the infamy of oppressing those who only contend for freedom and justice." They will also account for her refusal to accede to subsequent propositions from our enemies the most disgraceful to them as well as apparently advantageous to her.

The spirit of the State reasons abovementioned applies generally all the Northern Courts, and it must be observed that the lesser will be very cautious how they contravene the veiws of the greater. As to Denmark her imbecility is the best possible reason why she should not side with the weaker party, especially when she holds the little of her West-India possessions as a tenant at will to the maritime powers.

Sweden, the faithful ally of France, if she acts at all, will certainly take part in our favour, and with twenty ships of the line ready at a moment's warning, is in capacity to afford us no inconsiderable aid.

Prussia and Austria, equally desirous of becoming maritime powers, equally desirous to obtain for that purpose a share of the American commerce, and actually at war with each other, will neither of them be willing to send force against America. Nor will the smaller German Powers dare to weaken their dominions, by the loss of a single soldier, whilst the Emperor and King of Prussia are armed in motion, and in capacity to swallow them up.

Of the United Netherlands and Italy nothing need be said, unless that at least a strict neutrality may be depended on from them; the reasons of which are too obvious.

France is already at war with Great-Britain for American Independence; and those who know the connection between the Courts of Versailles and Madrid, their enmity to that of St. James's, and their national interests, cannot but perceive that Spain will soon be joined in this contest, unless it be terminated agreeably to our wishes.

Hence then it is evident, either that we shall immediately conclude a safe and honorable peace, or that Great-Britain must carry on the war alone, and unsupported against France, Spain and America, in which case the two former will give every aid in their power, to our trade and finances, so that on the whole no well founded doubt can exist, that the Continental currency will rise greatly in its value, and that the independence and safety of America will be established on the firmest foundation.

Convinced as you must be of these things, what ought your conduct to be? You cannot pretend to plead conscience on this occasion, because the success of our measures being apparent, it is on your own principles the will of God, to which you are conscientiously bound to conform. If you oppose your countrymen you may indeed incourage the enemy, and thereby lengthen out the contest, in which case you yourselves shall determine, whether you will not in some degree be answerable for the consequences. You have seen enough of war to wish a termination of it. You have sense enough to perceive that you can live happily under those governments which you wished in vain to prevent. You ought to fear that if the enemy perform their threats of wasting our country, your persons

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may become obnoxious to the vengeance of your fellow-citizens, and your estates be applied to compensate the ravages committed on theirs. Take then the counsel which I again declare to you is dictated by humanity. I wish sincerely the happiness of all mankind. I wish sincerely the prosperity and glory of the United States. And as sincerely I wish for peace. May Heaven grant it to us, to you and to all. AN AMERICAN

MS not found; reprinted from the *Pennsylvania Packet, or the General Advertiser*, February 27, 1779.

[1] Almost certainly Gouverneur Morris, who wrote several letters for Pennsylvania newspapers in 1778 and 1779 over the pseudonym "An American." He apparently wrote this article to quiet public alarm over divisions within Congress and between Congress and certain states, as well as in response to information contained in William Lee's recently received September 12, 1778, letter to Congress "that orders have already been sent to [Great Britain's] commissioners in America to acknowledge our independance if nothing else will answer, in order to commence a treaty and make peace." In an apparent allusion to the former motive, Morris later explained to Joseph Reed that "My object was to prevent our Friends from being alarmed and our Enemies encouraged by Appearances of Disunion." See *JCC*, 13:219; Wharton, *Diplomatic Correspondence*, 2:715; and Gouverneur Morris to Joseph Reed, April 9, 1779.

Morris evidently feared that reports of impending peace negotiations and recognition of American independence would lessen support for the war and fuel sentiment for a separate peace with Great Britain—a constant concern of the French minister Conrad Alexandre Gérard, who considered himself a close collaborator of Gouverneur Morris. And since Congress was simultaneously in the midst of reviewing the conduct of its overseas commissioners and establishing its peace ultimata, the subject was both timely and exceedingly delicate. Gérard manifested his interest in the essay by sending a copy of it to Paris, with several passages underlined, because, as he explained in a March 1 letter to the comte de Vergennes, he believed they were important "pour connoitre L'etat des affaires en Amerique." Meng, *Gérard Despatches*, p. 548.

Having ventured into the propaganda war then raging in the Philadelphia newspapers, exhorting Americans to stand firm against Britain's assault on their independence, Morris quickly found himself under attack, for two letters denouncing him, published over the signatures "T.G." and "Common Sense," were printed on March 2 in the next issue of the *Packet*. For additional information on the response of "T.G.," who attacked not only Morris but also his "late colleague, William Duer," see William Duer's Statement, March 9, 1779, printed below.

Richard Henry Lee to Patrick Henry

My Dear Sir: Phila., Feb'y 28, 1779.

I arrived here on the 19th, thro the worst roads that I ever travelled over. I find business of faction here pretty much at an end by the thorough exposure of its author, Mr. Silas Deane, who, if I am rightly informed, regrets extremely his publication of December the 5th. But be this as it may, he has certainly gained nothing by it here in the public opinion. I inform you with pleasure Sir, that the King of France has formally agreed to rescind the 11th and 12th articles of the treaty of Commerce,[1] so that now, the only unequal parts being removed, it rests upon the liberal ground of fair equality in every part. We are certainly indebted to Dr.

Lee's attention for this beneficial alteration, for which the honest voice of posterity will indubitably thank him when the poison of wicked faction shall cease to operate. The King of the two Sicilys has opened his ports to the vessels of the United States,[2] which is a good omen of Spanish attachment to our cause. Indeed we have abundant reason to believe that Great Britain will not get assistance from any power in Europe to carry on the war against us, and already our good Ally has made great havoc among the Privateers and with the trade of our enemies. We hear that 7000 British Seamen are now prisoners in the jails of old France. Notwithstanding these favorable appearances it certainly behooves us to get a strong army in the field, as the enemy have yet here a strength sufficient to do much mischief if they are not properly opposed. From the best accounts that I can collect, it appears that they have not less than 11,000 men at New York and Rhode Island. Yesterday accounts from Jersey told us the enemy had landed at Elizabeth Town, and had burned Gov. Livingston's house, and were advancing into the country. Our army was preparing to resist them, and if they do not quickly return I hope we shall give a good account of them. The enemy have published some curious letters of Mr. Braxton's which they have intercepted. I am informed they will be republished here, and when they are I will send you the paper.[3]

I am with much esteem, dear Sir, affectionately yours,

Richard Henry Lee.

P. S.—The enemies attempt upon Gen. Maxwell in the Jersies has turned out to our honour and their disgrace. Instead of surprising Gen. Maxwell, they themselves were surprised by his being prepared. The enemy were forced to retire with loss and disgrace, and without burning Livingston's house.

March 2. R. H. Lee.

MS not found; reprinted from Henry, *Patrick Henry*, 3:227–28.

[1] See Meriwether Smith to John Page, February 21, 1779, note 1.

[2] In his October 19, 1778, letter to the committee for foreign affairs, Arthur Lee had reported that "The King of Naples and Sicily has declared to us in form, by his ambassador here, that his ports are open to all Vessels belonging to the United States." See PCC, item 83, 1:345–48; and Wharton, *Diplomatic Correspondence*, 2:800–801.

[3] For further information about these "curious letters" and the controversy that ensued, see Meriwether Smith to the Public, March 9, 1779.

Marine Committee to the Eastern Navy Board

Gentlemen February 28th. 1779

We send you by the bearer hereof Captain Ephm. Bill Five hundred Thousand Dollars agreeable to his receipt enclosed. This sum we expect will enable you to discharge the present demands on your Department and will answer to give despatch in fitting for Sea all the Vessels that are

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now in Port. We have determined that the Sloop Providence shall Cruize on the Coast to the Southward. We request you will despatch her Accordingly giving her Captain Similar orders to those you give to the Commander of the Ranger—possibly that Ship and the Sloop may be got ready to sail in company. We are Sirs, Your Hble servants

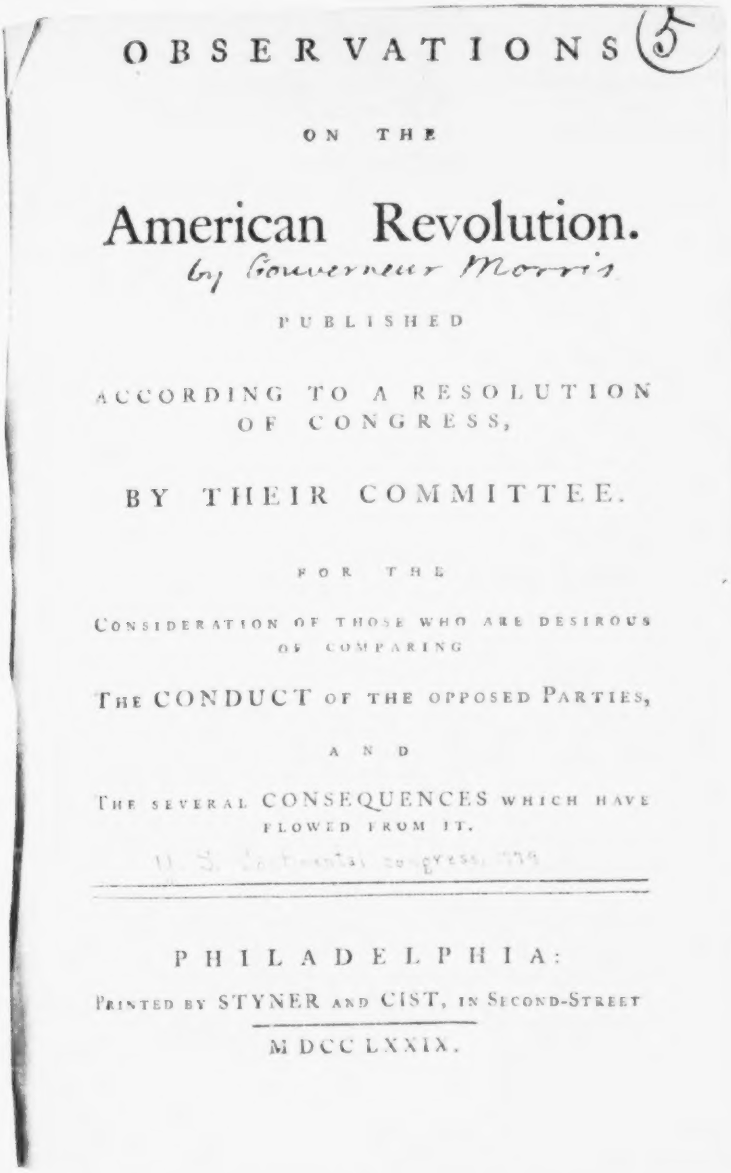
LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia 28th Feby 1779

Your favor of the 28th Ulto[1] is now before me. I expected the calling in so considerable a sum would produce convulsions, but hope will eventually have salutary effects, the Emission of May 1777 16,500,000 and that of Apl. 1778 25,000,000. The Gentn of the Treasury inform me they have given perticular directions to the Loan Officers respecting this Business, but as those directions did not go from this City till late in Jany they could not have reached N.H. the 28th. I hope the Collectors will be very careful to avoid Counterfeits, there has been more discovered in those Emissions than any others & some of them so well immitated that it is very difficult to distinquish them from the true Bills. I am not apprehensive that Mr. D——s publications will be attended with very bad consequences, but expect the operation will be very different from his expectation, it is highly probable they will be the means of bringing to light such of his conduct as will by no means redound to his Honour, & will convince every honest man that he was totally unworthy of the trust reposed in him; You ask if "there can be anybody that can justify his Conduct," if you mean his publications, I answer there are none that dare do it publickly but I have not a doubt that there are some who were well acquainted with his intentions before he appeared in print & perhaps advisd to the measure, but finding him unsupported by truth think it prudent to keep behind the scene. Your own knowledge of the characters now on the stage will lead you to form an opinion whether he has supporters; You know that the greatest Villains that ever lived (especially in public life) have found Friends. You are also sensible that integrity & uprightness will meet with opposition, it is therefore by no means wonderfull that these different characters should meet with Friends, & Opposers, when so wide a field is open for the display of genious in the different modes.

The news papers that I have sent you at different times will inform you all I know of the proceedings of the British Court & Parliament, it is out of their power to procure forreign assistance. The Court of Spain has refused to mediate between France & Britain but on condition that the latter acknoledge the independence of America. Spain will undoubtedly engage in the war should it continue another Year. I hear nothing of a



OBSERVATIONS

5

ON THE

American Revolution.

by Gouverneur Morris

PUBLISHED

ACCORDING TO A RESOLUTION
OF CONGRESS,

BY THEIR COMMITTEE.

FOR THE

Consideration of those who are desirous
of comparing

The CONDUCT of the opposed Parties,

AND

The several CONSEQUENCES which have
flowed from it.

U. S. Continental congress, 1779

PHILADELPHIA:
Printed by STYNER and CIST, in Second-Street
MDCCLXXIX.

Observations on the American Revolution, by Gouverneur Morris

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dissatisfaction in the Army but on the contrary that they are well supplied, indeed the Officers complain that their pay will not support them, but there are but very few resignations on that accot.—provisions are very scarce & very dear but the Army have a sufficiency.

I hope the genl. Court in their next session will choose Delegates for it will be of great importance that the state shod be represented in Congress the insuing summer, my Colleague is determined to go home early in Apl and it will be impossible for me to tarry the summer.

I am Your affect. Friend &c, Wm. Whipple

[P.S.] Observations on the American Revolution by a Committee of Congress[2] is just come from the Press it being too bulkey to go through the Post office. I shall send you one by the first oppory.

RC (NhD: Bartlett Papers).

[1] Bartlett's January 28 letter to Whipple is in Bartlett, *Papers* (Meyers), pp. 239-41.

[2] See Whipple to Bartlett, February 7, 1779, note 4.

Richard Henry Lee's Draft Report on Silas Deane

[February-March? 1779]

The Committee appointed to consider &c beg leave to make the following report.

It appears to your Committee that Mr. Deane did engage in private Commerce at the time that he was employed in the public business and having the direction of public monies.

That altho it does not appear in proof that public funds were applied to private purposes as yet a variety of circumstances support the conjecture.

That Mr. Deanes accounts for the expenditure of 37 Livres[2] have not yet been settled.

That in the opinion of your Committee it is proper that Mr. Deane should be called upon to make such settlement before the Continental Commissioners of accounts.

That as Mr. Deane proposes to embark for a foreign Country, it is proper that he should, previous to his departure, give bond with sufficient security to repay the public whatever ballance may hereafter appear to be due to the United States.

That it appears by letters of the Secret Committee to Mr. Hodge dated [3] that he was directed to purchase, fit out, and send to America, two well Armed Cutters loaded with Stores for the public use, and he was to lay his instructions before Silas Deane Esqr. and follow his advice in the execution. That these Cutters were not sent to America with Stores as directed but being purchased & fitted out in public and private partnership of which Partners Mr. Deane was one, they were sent to cruise for Prizes on the Coasts of England and Spain contrary to the sence of Congress and the desires of the Court of France. That these Cruises produced disagreable consequences both in France & Spain.

That there appears a contrariety in Mr. Deanes conduct concerning the affairs of Mr. Beaumerchain when he gives information to Congress in his single capacity and when he writes conjunctly with his Colleagues. Representin[g] in the one case the Stores sent by Mr. Beauhmerchais as private, and in the other informing Congress that this Gentlemans demand had better be settled in France as it was mixed public and private supply.

MS (Capt. J. G. M. Stone, Annapolis, Md., 1974). In the hand of Richard Henry Lee.

[1] This draft report was probably written after February 20, 1779, when Lee returned to Congress, and before March 24 when the Foreign Affairs Inquiry Committee submitted its final report to Congress. Because the Virginia delegate on this committee of 13, which had been created on January 20 before Richard Henry returned to Congress, was Meriwether Smith, a political opponent, Lee could not directly advocate the interests of his brothers, Arthur and William, within the committee. And he could only express his views on Silas Deane to the committee indirectly through close political allies such as Henry Laurens and William Whipple. As this draft report is located in a collection of Whipple's papers, which also contains a booklet of minutes of the Foreign Affairs Inquiry Committee in Whipple's hand, it is evidence of the collaboration of Deane's opponents in Congress, who were equally concerned in supporting the charges of Arthur Lee against him. The nature of the relationship between Richard Henry and Whipple is evident in the letters they exchanged after Lee returned to Virginia in May, for which see Lee to Whipple, June 13 and 26, August 8, and September 4, 1779, in Lee, *Letters* (Ballagh), 2:69-70, 80-82, 106-7, 144-46; and Whipple's letters to Lee of August 23 and September 18, 1779, in these *Letters*.

Notwithstanding Lee's association with Whipple and Laurens, his draft report concerning Deane appears to have had little effect on the report of the committee, written by William Paca, which was submitted to Congress on March 24. Although the latter contained considerable criticism of Deane, it also listed a number of charges against each of the American commissioners abroad and singled out no one diplomat for particular censure. See *JCC*, 13:363-68; and Foreign Affairs Inquiry Committee Minutes, January 21 and February 12, 1779.

[2] Lee's meaning can only be conjectured, but there is a brief mention in the Foreign Affairs Inquiry Committee Minutes for February 8 of confusion in Silas Deane's accounts concerning "37 livres given for cloaths that might have been had for 32."

[3] For this letter of May 30, 1776, from the Secret Committee to William Hodge, see these *Letters*, 4:103-5.

Richard Henry Lee's Notes on Silas Deane's Narrative

[February-March? 1779][1]

Mr. Deane in various parts of his Narrative assumes the whole transaction with Baumarchais—Consider his duplicity by comparing his own letter on this business by Mr. Francois with his letters in conjunction with his Colleagues both before and after his letter by Mr. Francois.

In the 42d page of the Narrative it is said "In Mr. Lees absence in Spain a contract was made with the Farmers General for 5000 hhds Tobo. &c." Observe the nature of this Contract and see how injurious it will be after the price in America, the freight, insurance, and Commissions are paid.

In Page 44 'tis said "Mr. Hodge & soon after him Capt. Bell arrived with dispatches from Congress, in which *the Commissioners were directed to fit*

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out, if in their power to do it armed Cruisers from France to annoy the British Trade in Europe, and blank Commissions were sent for this purpose." See the Secret Committee's letter to Mr. Hodge[2] and observe how totally and expressly different it is from the State here given by Mr. Deane. See also the express condition on which alone Congress agree that armed Vessels shall be fitted out in France, by their resolve on this subject at Baltimore first of 1777,[3] immediately transmitted to the Commissioners. The business of Cuninghame is expressly opposed to the directions of the Committee, to the resolve of Congress and to the repeated injunctions of the Court of France. But Cuninghames affair was a Job of mixed public & private concern for the benefit chiefly of the latter. See Mr. Hodges letter where he says Mr. Deane was a third part concerned in this Cutter of Cunninghames—Thus sacrificing public good & public trust to private views.

Observe his praises of Williams and compare it with Rob. Morris's letter saying Mr. Deane was in partnership with Williams. Also the inclosed letter from Williams to Deane proposing leave to draw at pleasure on the Banker at Paris with whom was lodged all the money of the United States in France, and his particular expression "*My connections with you being known.*" See also in the Commercial Committee, the Vessels as sent by Mr. Williams here with Stores bringing no Charter party, or information by which it might be known what was to be done with the Vessels after they had discharged their Cargoes, and the consequent inconveniences.

This does not imply such great ability as Mr. Deane describes—But it seems Mr. Williams was Mr. Deanes partner.

MS (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

[1] As Silas Deane's "narrative" had been read in Congress and submitted to the Foreign Affairs Inquiry Committee for examination before Lee returned to Congress on February 20, it seems likely that Lee obtained access to the document from and prepared these notes for one of his allies on the committee, such as Henry Laurens or William Whipple. For speculation on Lee's relationship with members of that committee and the context in which he probably prepared these notes, see the preceding entry, note 1.

[2] See these *Letters*, 4:103–5.

[3] Lee is apparently referring to the resolution adopted on December 23, 1776, shortly after Congress assembled in Baltimore, authorizing the commissioners "to arm and fit for war any number of vessels not exceeding six, at the expence of the United States, to war upon British property, and that commissions and warrants be for this purpose sent to the Commissioners, provided the Commissioners be well satisfied this measure will not be disagreeable to the court of France." *JCC*, 6:1036.

John Fell's Diary

Monday March 1st. [1779]

Commercial Committee. Letter from Genl. Washington, inclosing one from Genl. Maxwell at Elizabethtown, that the Enemy had left that Place, after a fruitless Incursion. Memorial from Mr Holker offering a Million of Dolls on Loan—Referrd. to Mr. R. H. Lee, Laurens & Morris.[1]

Committee of the Assembly of Pennsylvania, desire a Conferrence with a Committee of Congress, relating to the Emitions call'd out of Circulation, Gerry, Carmichael, Duane.[2] Motion for the Committee to whom was Referrd the Letters & Papers, from President Reed, &c be Requir'd to send and Examine on Oath Mr Mitchell D Q M General respecting the Waggons, said to be employd Per Genl Arnold.[3] Congress went in to a Committee of the whole House, Respecting the fixing the Bounderies of the United States.

MS (DLC).

[1] See *JCC*, 13:260-62. Jean Holker's February 27 letter to President Jay and the memorial he enclosed with it "respecting it's [Congress'] finances & a proposition of a loan which I have in my power to make," are in PCC, item 96, fols. 223, 233-44. For numerous letters and accounts detailing his financial speculations, including a later explanation of this proposed loan—"Observes on Mr. Morris's State of Facts"—see the Jean Holker Papers, DLC. Meriwether Smith, rather than Gouverneur Morris, was the third member appointed this day. Morris and William Carmichael were added to the committee on March 20. *JCC*, 13:344-45.

[2] *JCC*, 13:262. The committee of the Pennsylvania Assembly that met with William Carmichael, James Duane, and Elbridge Gerry, reported to the assembly on March 3 that Congress had pledged to issue $500,000 to loan office commissioner Thomas Smith to facilitate withdrawing "the emissions of continental money ordered to be taken out of circulation." *Minutes of the Second Sitting of the Third General Assembly of the Commonwealth of Pennsylvania*, DLC(ESR), pp. 71-72.

[3] See William Paca to Joseph Reed, March 3, 1779.

John Jay to George Clinton

Dear Sir, Philadelphia 1st March 1779.

Altho I have no Important Intelligence to communicate, or Leisure to write long Letters, yet cannot omit this opportunity of sending to you the news Papers, and telling you I am well.

A vessel with a valuable Cargo is just arrived at Baltimore. Whether she brings any & what advices from France I am yet uninformed.

My next will be more particular. My best Respects to Mrs. Clinton. I am dear Sir Your Friend & Serv't, John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:598.

James Lovell to Horatio Gates

Dear Sir, March 1st. 1779

Your Favor of Feb. 16 was delivered to me the 27th by Doctr. Craigie. The Picture you draw of your Situation is singularly mortifying to me both as your Friend and as a Bostonian. I hope the Affair of Flour is in some sort of Train for the replenishing of the public Magazines and for the

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supplying the Necessities of the People. Had the Government sent for Supplies at the Time they gave Certificates to Individuals you would have had no Reason now to cry out. But while New England Vessels & their Owners were alone to be concerned in making a vast Profit from the Necessities of the People, the Mercantile Interest were very strenuous for an Embargo to be continued. Besides, every vile Subterfuge has been used to get Vessels away to the West Indies which it was pretended were going to the Eastern States. The Commissary with all his Skill & Contrivance expresses strong Doubts of being able to feed the *grand* Army. Good God! is it possible that such a Continent as ours should not be able to feed two such armies *wasteful* & *irregular* as that of ours continues to be. Now that there is a Chance of these States consenting to export to the eastern the Capes are crowded with Privateers. It is said that upwards of 100 are watching Delaware and Cheseapeak. We have lost the military Stores going from hence for S[ou]th Carolina. I pity Genl. Lincoln with all my Heart. Who would have conceived that a Sufficiency of Amunition had not been imported into Charlestown? Our last Intelligence from the Southward is that all but the last Division N[or]th Carolinians had arrived, and that Lincoln was determined to use them in their welding Heat. If he does not, I fear he will soon again be at the head of a few Hundreds. He is said now to have about 7000.

As to the fortifying at Boston I must own to you I have not been distressed at the Delay which that Business has had in Congress. If the proposal should be complied with beyond fortifying the Harbour only I should never wish to Live in the City. If the Continent are to fortify they will claim the Right to garrison, which I should be sorry ever to see. I do not want my native Place to be turned into a Wapping or even a Portsmo., Plymth or Chatham. As to Du Portails Plan for the Continent at large, The whole Treasury of Spain is essential to it.

Some time ago I wrote you that I could afford to send only one Paper in common for Mr. Hancock, Doctr. Cooper & yourself. I fear you have not had an early Reading of it. I find Mr. H—— has one from the Printer. I shall inclose therefore to you unless you inform me that it is unnecessary. I wish I had a Mode of conveying to you some Things in Cyphers. I am most cruelly pinched for Time now but will speedily write again. Ask Doctr. Joseph Gardner one of my best earthly Friends to let your Clerk copy an Alphabet which he had from me, and which a thousand Persons may use with a thousand different Key-Words. If he has lost the Paper he will describe it so to you that you may make one. The figure from 1 to 27 denominate each & every letter of the Alphabet. It is a little tedious in its usages, but is perfectly inscrutable by the art of man if managed with a little art in the placing figures for the particles as well as your secret Substantives.[1]

I am afraid of the Arts that are using to hurry us into a rash {ultimatum}.[2] We are told that such is our first Business tho' your Letter and the Observation of a blind Man may convince us to the contrary; but forsooth

{France and Spain} are of that opinion fully as say the Lick spittles of {the Plenipo}.[3] There will be no puzzl about {south bounds}. But shall neither {Canada, Nova Scotia} nor {fishery} be in the {ult}.[4]

A young Gentleman has just left me to whom I have given a Key Word for you without telling him what the Purpose of it was. I had intended to make him the Bearer of this, and to send my Word *sealed* by the Post. But he was mounting with Company and I would not detain him.

I will make the best use I can of your Information respecting *Boats, Gimblets, Wax & Wavers.* I thank you & your Lady for yr. Tenderness to Mrs L. My Regard & Esteem for you has been long ago founded on a solid Basis. Was it otherwise you are in the True Road of bribing me out of it. I cannot withstand the Force of Kindnesses through my dear Polly. I can be upon Guard in every Thing directly to myself. Her Moderation wch. you mention springs from my Letters. I assure you I do not see any Thing but Ruin upon a Comparison of my Salary & her absolutely necessary Expences. I am very loath to quit Congress, just *at this Time.*

I shall lose the Post I fear, yours sincerly, J L

RC (NHi: Gates Papers).

[1] The cipher used by Lovell is explained in Ralph E. Weber, *United States Diplomatic Codes and Ciphers, 1775-1938* (Chicago: Precedent Publishing, Inc., 1979), pp. 27-34, 591. See also Lovell's explanation of it to Benjamin Franklin in these *Letters*, 7:290-92.

[2] This and the following words in braces were written by Lovell in a cipher based on the key word "James."

[3] That is, plenipotentiary.

[4] That is, ultimatum.

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Massachusetts Delegates to the Massachusetts Council

Sir Philadelphia March 1, 1779

We have the Honor of your Favour of the 15th Feby.[1] in the Name & Behalf of the General Assembly, representing the State of the publick Magazines in your Quarter, & the Necessity of immediately supplying them with Bread & Flower; previous to which, being informed by Letters from the honorable Council to Congress, of the general Want of these Articles, & by a Letter from Baltimore, of the Arrival of Capt Malcolm for a Cargo on the publick Account, We procured the inclosed Resolves, which are the best that can at present be obtained.[2] We are greatly distressed at the Calls for Bread from our native Country, & shall use our best Endeavours to releive it; sincerely wishing at the same Time, that the Inhabitants may in future depend, under providence, on their own Resources, & be urged to raise Supplies for themselves. The Necessity of this, We think will appear from the present Difficulty of obtaining Grain & Flower by Importation. The southern States, on whom We formerly depended for considerable Quantities, are subject to excessive Rains, by which their Crops in the low Lands are often swept away, & to the Weavel or Fly, by which their Stacks & Granaries are sometimes destroyed. This is their Case at present, in addition to which, a great Number of Farmers, instead of raising Grain, have been induced from the high price of Tobacco to turn Planters & raise this Article. Others distill the Grain, & thereby not only save the Amount of the Transportation to Market, but selling their whiskey at an amazing price, nearly double their Money. This pernicious practice is discouraged by the Laws of some States, whilst others are not disposed to pass such Acts, & suffer most of the Grain not wanted for the Consumption of their Inhabitants to be thus wasted, & converted to a Use destructive of their Morals. Great Quantities of Flower & Grain are purchased for the Army & Navy, & for supplying the Forces & other Subjects of our good Ally in the West Indies; whilst the Number of Husbandmen here, are greatly diminished by the War.

But had not the Quantity of Grain for Exportation from these States been reduced by Rains, the Weavel, the raising Tobacco, Distillation, Want of Husbandmen, & Demands of the War, We think, that shipping it to the eastern States, is at this Time, extremely difficult if not impracticable; being well informed, that upwards of one hundred private Cruisers (exclusive of large ships, Frigates, & Sloops of War belonging to the british Government) are now infesting the Coast, & make the Navigation more hazardous than it has heretofore been; We shall nevertheless use our best Endeavours to render successful your Orders for Importation.

That Part of your Letter which respects the fortifying Boston & Disposition of the continental Army, We shall communicate to Congress, who having already appointed a Committee to consider the first,[3] & another Committee in Conjunction with General Washington to determine on a general plan of Operation for the next Campaign, will of Course refer your propositions to their Consideration. We have the Honor to be sir, with much Respect for the honerable Assembly & Yourself, your most obedt. & very humble servants,

Samuel Adams James Lovell

E. Gerry S. Holten

RC (M-Ar: Revolutionary War Letters). Written by Gerry, and signed by Gerry, Adams, Holten, and Lovell. Addressed: "Hona. Jeremiah Powell Esqr., President of the Council of Massachusetts Bay, Boston."

[1] Not in PCC.

[2] Undoubtedly the February 26 resolves authorizing southern states to export provisions, "as they may judge expedient," to Massachusetts and Rhode Island. See John Jay to the Massachusetts Council, February 27, 1779.

[3] The Massachusetts Council's December 15, 1778, letter dealing with the fortification of Boston harbor had been referred to the Marine Committee on January 13. *JCC*, 13:56.

William Carmichael to Thomas Johnson

Sir
Philadelphia March 2d. 1779

I have the honor to inclose the commissions, instructions &c written for by Your Excellency, & which the neglect of the Presidents Secretary prevented us from forwarding by the Last post. I hope no inconvenience hath resulted from the delay. An ineffectual attempt of the Enemy to surprize General Maxwell at Elizabeth Town is the only article of Domestic news we have received of late. Several Weeks have elapsed since we have had any intelligence from Georgia. I have received letters from Nantes dated the 13th of December, in which as nothing is said of your Brother[1] I presume he is well. I am with much respect, Your Excellencys Most Obliged, & Most Humble Sert.
Wm. Carmichael

RC (PHi: Etting Collection).

[1] Joshua Johnson.

Committee of Congress to John Chaloner and James White

Gent
Philada March 2. 1779.

The Committee having taken into Consideration your Letter of the 16th Feby 1779[1] are of Opinion that you should cause the accounts therein referr'd to to be adjusted by arbitrators indifferently chosen Assuming nevertheless as a Preliminary on which they are to ground themselves that the prices of the several articles are to be estimated as they where sold, at the time when taken for the publick Service. We are Gentn. your most Obedt & hble Servants,
Gouvr Morris

Wm Whipple

Frans. Lightfoot Lee

Tr (PHi: Chaloner & White Papers). This letter was copied into the body of a March 8 letter from John Chaloner and James White, assistant commissaries of purchases in Philadelphia, to Stephen Shewell, Joseph Shewell, Philip Wilson, and Robert Waln. In their letter to the Shewells, Wilson, and Waln, Chaloner and White explained the purpose of the committee's letter in the following introductory sentence: "We applied to the Committee of Congress appointed to direct the Commissary & Quarter Mr Generals department, for authority to settle the Accounts transacted by us at the time our army took possession of the City. In answer to which we reced the following." The committee's response printed here is taken from the FC now in the Chaloner & White Papers.

[1] Not in PCC.

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John Fell's Diary

Tuesday March 2d. [1779]

Commercial Committee. Congress. Some Letters read, and a Memorial from the Board of Warr, about clothing the Army.

Report for Raising a Lone in Europe, and the Propriety of Paying Beaumarchies Debt, debated till 4 o Clock.

6 P.M. Attended the Marine Committee (first time).[1]

MS (DLC).

[1] Fell, Richard Henry Lee, and James Searle had been added to the Marine Committee on February 24. *JCC*, 13:247.

John Jay to Nathanael Greene

Sir, Philadelphia 2nd March 1779

Agreeable to your Request I have communicated to Congress your proposals on the Subject of your Office, on which they have not as yet taken any Order.[1]

You will receive herewith enclosed a Copy of an Act of Congress of the 20th Feby. regulating the Supplies of Portmanteaus & Valaises to the Officers of the Army.[2]

I am Sir with great Respect, Your most Obedt. & very Hble Servt.

J.J.

LB (DNA: PCC, item 14).

[1] In a letter of February 1, Greene had explained that the quartermaster department frequently encountered claims from persons who had suffered damages at the hands of the army, either by "the taking of such Articles on sudden Emergencies as the Army may stand in need of" or by "that kind of Trespass on private property which Armies in all Countries commit." Thus he recommended that Congress appoint "certain Commissioners of proper Character and Abilities" to determine such claims, and his letter had been referred to the committee for superintending the commissary and quartermaster departments. See *JCC*, 13:133; and PCC, item 155, 1:83–86. The specific recommendation seems to have been lost in the larger concern over a general overhaul of the quartermaster corps and was never acted upon.

[2] *JCC*, 13:214–15.

John Jay to George Washington

Dear Sir, Philadelphia 2d March 1779

Accept my Thanks for your obliging Favor of the 23 Ulto[1] and be pleased to add to the obligation by a Repetition of them.

The arrival of a Reinforcement from Rhode Island at New York seems to indicate either another Embarkation to the Southward, or offensive operations in your Quarter. But of military Matters I have too little Knowledge to hazard Conjectures, especially to Persons familiar with that Science.

In one of the English Papers I have the Honor to enclose, is a Copy of the Family Compact between the Branches of the House of Bourbon. As it explains the political Connection between France & Spain, I think it interesting.

We hear nothing from General Lincoln. A little Vessel with military stores which lately sailed from hence bound to South Carolina is taken.

My best Respects to Mrs. Washington. I am Dear Sir with perfect Esteem & personal Regard, Your obt. Servt, John Jay.

RC (DLC: Washington Papers).

[1] Not found.

John Jay to George Washington

Sir, Philadelphia 2nd March 1779.

Your Excellency's Letters of the 24th & 26th Ulto. with their several Inclosures have been received and communicated to Congress.[1]

A Copy of an Act of Congress of the 27th Feby. is herewith enclosed, by which your Excellency will perceive that the Letter of Coll. Wigglesworth is referred to the Delegates of Massachusetts-Bay, & that General Glover is to be indulged with a furlough for such time as may be necessary to his private Affairs.[2] I have also the Honor to transmit enclosed several printed Copies of two Acts of Congress—the One of the 11th Ulto. respects the Commissary General of military Stores—the other of the 18th, establishes Regulations for the Department of Inspector General.[3] I have the Honor to be &ca, J.Jay

LB (DNA: PCC, item 14).

[1] *JCC*, 13:259, 261. For Washington's February 24 and 26 letters to Congress, see Washington, *Writings* (Fitzpatrick), 14:141, 153-54; and PCC, item 152, 7:115. The latter is not in PCC.

[2] *JCC*, 13:259. In his February 24 letter Washington had enclosed letters from Gen. John Glover and Col. Edward Wigglesworth to him "praying leave to resign their respective commissions."

[3] Jay had just recently sent Washington the "Act" of the 18th, but "the One of the 11th Ulto." occasioned considerable confusion. Jay actually enclosed printed resolves of February 11, 1778, not 1779, which understandably prompted Washington to inquire subsequently "if there has not been some mistake in their transmission." See Jay to Washington, February 26, 1779, note 1; Washington, *Writings* (Fitzpatrick), 14:231; and *JCC*, 10:144–50.

Henry Laurens to George Washington

Dear sir, Philadelphia 2d March 1779.

At my return to Philadelphia from Middle Brook[1] I found on my Table Your Excellency's favor of the 17th February.[2] Were I to indulge a Pen, always prompt to express the feelings of my heart, truths might drop,

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which 'though truths, had better be understood than displayed, therefore I shall say only in one word, I count it one of the highest honors of my Life to have been for some Weeks an Inmate in my own House with General Washington & his Lady, an honor coveted by the first Men of the Age, hence you will see Sir, how much I think myself overpaid for those respects which you are pleased to take notice of.

Possibly the secret of preparing Fascines at Staten Island was unfolded at Elizabeth Town in the late project for surprizing General Maxwell & captivating my worthy friend Governor Livingston, had success attended these attempts, the triumphs of Sir Henry, & our mortification would have been in extremes. Emulation of the vigilance at that Post, will hereafter appear in every subordinate department throughout Your Excellency's command, every commanding Officer will think himself insulted by the Knight's repeated schemes for effecting surprize & carnage, which implies a disdainful confidence of finding American troops always off their guard.

Your Excellency will find under cover with this, two Carolina Gazettes which contain all the intelligence I have received from the Southward since the 15th January. Mr. Hutson has a Letter of the 21st of that Month, importing in very general terms, that Major General Lincoln was at the head of 3500 Men. Brigadier General Williamson commanding 1000 had given a detachment of the Enemy's Troops who were penetrating the Country towards Augusta a severe repulse.

A schooner loaden here with Military Stores, about 18 Tons, was captured on her voyage for So Carolina within a few hours after she left the Capes of Delaware. This is an untoward circumstance. Carriage by Land will be intolerably slow & expensive & the avenues by Sea are said to be shut up.

Mr. Barton the Gentleman who will have the honor of delivering this to Your Excellency, is desirous of paying a visit to his Father at New York; before Mr. Barton's arrival in this City I had received a Letter directed to his Father, the propriety of delivering it unopened submitted to me by the Gentleman who had forwarded it from France, upon enquiry I learned that Mr. Barton the elder had gone over to the Enemy, therefore by advice of my friends, I opened & found it to be from the present Gentleman, exhibiting a contrast of Characters between Father & Son. Upon the arrival of the Latter, I delivered him his Letter & requested a Copy of it, which I shall inclose under the present cover as the best recommendation of a suitor to Your Excellency for a permit to pass either to or beyond the Enemy's lines[3]—such a Permit cannot at present be obtained in Philadelphia.

Mr. Barton has desired me to add to his own the name of a Mr. Zantzinger who intends to accompany him. I know nothing of the latter & no more of the first Gentleman than I have already mentioned. I must confess myself prejudiced in his favor, but I have given him no ground for believing that I act the part of a solicitor. He understands, "that I send a

Copy of his Letter, & that General Washington will do as he shall think proper."

Shall I request Your Excellency to present me in the most respectful terms to Mrs. Washington, a Box of Oranges &c. from Don Juan de Miralles is waiting the call of the Dep. Quarter Master, I am apprehensive the event will be, Mrs. Washington's wishes that Mr. Laurens had eat the Oranges while they were sound.

Believe me with the most sincere & respectful attachment, Dear Sir, Your much obliged humble servant, Henry Laurens

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RC (DLC: Washington Papers).

[1] Laurens had received permission on February 4 for leave of absence and was probably in New Jersey from about February 16 to 24. He attended the foreign affairs inquiry committee meetings through February 15 and was back in Congress on the 25th. *JCC*, 13:144, 250.

[2] Washington's February 17 letter to Laurens is in Washington, *Writings* (Fitzpatrick), 14:129–30.

[3] On March 6 Washington ordered Gen. William Maxwell to grant Barton a pass to go to "Elizabethtown Point." Ibid., p. 203.

Richard Henry Lee to Henry Laurens

Tuesday evening [March 2? 1779][1]

Colo. R. H. Lee presents his compliments to the honorable Mr. Laurens and sends him inclosed some extracts from several letters of Mr. William Lee[2] which may place in a proper point of view Mr. Deanes charge against Mr. Lee of delaying to accept of the trust reposed in him by the United States least he should injure his affairs in England. The necessity of attending the Marine Committee prevents Colo. Lee from sending at present such extracts from the same gentlemans letters as will further evince the bad foundation of this and some other of Mr. Deanes charges. What is now omitted shall hereafter be sent.[3]

RC (ScHi: Laurens Papers, no. 30). In the hand of Richard Henry Lee. Endorsed by Laurens: "Colo R. H. Lee with documents on public foreign affairs."

[1] Lee had returned to Congress on February 20, where he would almost immediately have learned of the appointment on January 20 of a committee consisting of one member from each state to inquire into "the foreign affairs of the United States." Laurens, the South Carolina representative on the committee, had returned from a brief trip to New Jersey on February 24. This unsigned message was probably written on a "Tuesday evening" after Laurens returned from New Jersey and before the committee reported to Congress on March 24 (i.e., March 2, 9, 16, or 23). See *JCC*, 13:93–94, 214, 363–68; Foreign Affairs Inquiry Committee Minutes, January 21, 1779, note; and Laurens to George Washington, this date, note 1.

[2] The "inclosed" extracts were letters from William Lee to Richard Henry dated July 1, August 12, and October 7, 1777, and "November 24, 1779" (i.e., 1777). Complete texts of the last three are in the Lee Family Papers microfilm, ViU.

[3] Among the Laurens Papers, ScHi, is another unsigned and undated message from Lee to Laurens enclosing an extract from a letter of Arthur Lee which Richard Henry thought would also shed light on the Deane-Lee affair. "Colo. R. H. Lee presents his compliments to

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the honorable Mr. Laurens and sends him the above extract as well as the inclosed both of which Colo. Lee thinks touch the business under consideration of the Committee of thirteen." Although the letter from Arthur to Richard Henry has not been found, comparison of information in the undated extract with an exchange of letters in Paris between Arthur and the newly appointed French minister, Conrad Alexandre Gérard, on April 1, 1778, indicates that the original was written the same day. See the Lee Family Papers microfilm, ViU, and Wharton, *Diplomatic Correspondence*, 2:530-31. The "inclosed" to which Lee refers has not been identified.

Marine Committee to James Nicholson

Sir March 2d, 1779

The Marine Committee have received your Letter of the 22d Ulto and have ordered me to inform you, that you have their leave to go upon the service mentioned in your letter,[1] considering yourself still amenable to be called to trial by Court Martial for the loss of the Virginia which will be as soon as possible after your return. I am Sir, Your Hble servant,

John Brown, Sec.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] James Nicholson's February 22 letter to the Marine Committee is not in the PCC.

Maryland Delegates to the Maryland Assembly

Gentleman Phila. March 2d 1779.

We consider it as our Duty to write you during the present Session of the General Assembly such Intelligence as Congress are possessed of and which no Injunction to Secrecy forbids our Communication.

We are sorry the particular Circumstances of the Case will not suffer us to give you a Detail of the Intelligence lately received from Europe, it is truly important & favourable to America; but whether the Train our Affairs are in points to Peace or War it is absolutely necessary that every Exertion be made to have a respectable Army in the Field.

It is with Pleasure we inform you that Great Britain has failed in her Application to Russia for Troops and is deprived of every Prospect of foreign Aid. His most Christian Majesty still continues to act the faithful & magnanimous Ally and we have every Reason to beleive that as the Independency of the united States is the profess'd & declared Object of the Treaty So it is the Extent of his most Christian Majestys Wishes in the present War.

A Detachment of the Enemy from New York a few Days ago attempted a Surprise at Elizabeth Town but were disappointed with some Loss: The Gazette will give the particulars.

We have the Honor to be Gent., Yr. most Obedt. hble Sevts.

Geo. Plater Wm. Carmichael
Wm. Paca J. Henry Junr.

RC (MdAA: Red Books). Written by Paca, and signed by Paca, Carmichael, Henry, and Plater.

Gouverneur Morris to George Clinton

Sir, Phila. 2d March 1779.

Mr. Constable,[1] a Son of Doctor Constable of Schenectady, left this Country in the year 1773 and went to England on private Business. The war prevented his Return for some considerable Time but finally as the Continuance of it took away the Prospect of being able speedily to revisit America he came out to this City in the winter of 1777. Upon the Evacuation he remained and hath taken the oath of allegiance. At present he wishes to be placed in a Situation to visit the state of New York with Propriety and become an Inhabitant and subject. Having never done any act prejudicial to the Interests of the United States I am led to imagine that no objection can lie to this measure. But I pray your Excellency to write me fully on this Subject[2] and to point out the steps which may be necessary for him to take which will much oblige Your most obedient & humble Servant, Gouv. Morris.

Reprinted from Clinton, *Papers* (Hastings), 4:606.

[1] William Constable (1752–1803), merchant and speculator, had gone to England in 1773 as a representative of the Schenectady, N.Y., firm of Phyn & Ellice. In 1777 he returned to America and established a mercantile firm in Philadelphia during the British occupation. After the British evacuation of the city, Constable remained in Philadelphia and developed business connections with some of the most influential American leaders, including the Continental commander of the city Benedict Arnold and later both Gouverneur and Robert Morris. For Constable's business career, see Donald G. Tailby, "Chapters from the Business Career of William Constable: A Merchant of Post-Revolutionary New York" (Ph.D. diss., Rutgers University, 1961), chaps. 1–3.

[2] Clinton's March 22 reply supporting Constable's request to return to New York is in Clinton, *Papers* (Hastings), 4:606–7.

Rhode Island Delegates to William Greene

Sir, Philadelphia March 2d. 1779.

Inclosed is a resolution of Congress which we hope with the recommendation already given to the States of Newyork & Connecticut may enable our State to procure a supply of bread for its poor.[1]

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A Fly which heretofore had spoiled the wheat in Maryland, Virginia & No. Carolina hath proved more destructive the last season than formerly, and this, with an inundation in some parts of the two latter, have occasioned a comparative scarcity of that necessary article. However we believe a small quantity might be got in all of those States. We are informed that in the parts of No. Carolina which lie back of Cape-fear river there is a considerable quantity of flour, and that probably it might be obtained in the way of donation. Indeed the delegates of that State have told that it would be more likely to obtain flour in that mode than by purchase on the recommendation of Congress. Perhaps therefore it might be prudent to try both ways.

If the Assembly should think proper to send to So. Carolina for Rice Mr. Laurens a delegate of that State advises that our adventure should be made to Winyaw rather than Charlestown, the navigation to the former being the least hazardous. Indeed the whole coast from New York to So. Carolina, especially from New York to North Carolina, is so infested with privateers as to render commerce exceedingly precarious. Capt. Collins is of opinion that the navigation to Cape fear & Winyaw would be safer than to Chesapeak, provided that the Vessel ordered to the latter should be directed to keep as far from the shore as possible without getting into the Gulph Stream, until She should be in the latitude of the place and then crowd directly for it.

Pennsylvania was not allowed to stand in the report because the army which is in its neighbourhood will want more flour than it can spare.

We have moved Congress frequently on the Subject of our proportion of the Tax for the current year but have not been able to procure a decision. The members are very loth to counteract their resolution and thereby lessen the whole sum to be collected. We have a prospect of getting So. Carolina to take off fifty thousd. dollars and assume it to themselves. I hope we shall be able to struggle through the tax thus reduced. The more we pay now the less we shall have to pay hereafter when the money may be appretiated.

If we should have a good army in the field this campaign it will in our opinion be the last. There is no probability of the enemy's receiving any foreign reinforcements, and Great-Britain must take care of her Island, and protect it from invasions. Some troops have been drawn from Rhode-Island to N. York, and from thence we are informed that the Enemy at R. Island were embarking their heavy cannon. It is not improbable that the Island may be evacuated to en[able] the enemy to reinforce their troops at St. Lucia where their mortality is very great. In hopes that our State may be soon rid off those Locusts which have so long infested it, and that we may be speedily blessed with an honorable peace we continue with the warmest attachment to it and your excellency, Your Excellency's most obedient humble Servants, William Ellery

John Collins

P.S. I had spoken to the Secretary for a copy of the Resn. on supplies but it hath been forgotten and the post being just about to set out will not admit of our waiting for a copy. However you will receive a copy of it through the President. We have obtained a resolution for taking off fifty thousand dollars from our proportion of the tax and putting it on South Carolina since we wrote the paragraph respecting that subject.[2] The Secretary is so busy that he cannot give us a copy of it. We will send it by the next post. In the meantime the Assembly may proceed on taxation if they should think proper. We write in Congress. Wm. Ellery

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collins.

[1] See John Jay to the Massachusetts Council, February 27, 1779. For "the recommendation already given," seen also Rhode Island Delegates to William Greene, February 9, 1779, note 1.

[2] See *JCC*, 13:269.

William Whipple to Joshua Brackett

Mr Dear Sir, Philadelphia 2d. March 1779

I have the Pleasure of Yours of the 2d Feby. You say you have not read all the controversy between Mr. D—— & C—— S——[1] therefore cannot give your own opinion. You are perfectly right so far, but I hope you will not form an opinion on other Peoples judgment, when better evidence is to be obtained—if you have formed no opinion of Your own, why do You beleive C—— S—— has got into a dispute that will be no credit to him? You wish to Know the opinion of Congress respecting Mr. D——. It is out of my power to give you a direct answer to that Question at present as the matter has not come to a decision, but this I assure you, that I have never heard a member of that Body pretend to justify him. I do not know on what grounds C—— S is suspected of being the hierling of a party, I am very confident that is not the case, but in my opinion a Zealous Champion for truth in this instance, its true his Zeal has lead him imprudently to expose some matters which brot Congress to a disagreeable dilemma—but he is by no means chargeable with falsehood in any one instance in the course of his publications respecting D——. Prudence at present forbids my giving you my Opinion of the Character last mentioned but I will venture to say he is altogether unworthy to be mentioned with those who he has endeavord to traduce.

It gives me pleasure to hear of the arrival of a Cargo of flour &c. I wish you may have many more of the same sort, that article is very scarce & consequently very dear here, I am told the price is 40 dollars and every kind of provision in proportion 'tho this is owing in some measure to the vicinity of the Army but Principally to the shortness of the last crop.

I must refer you to the papers for newes, we have had nothing very material from Europe but daily expect something of importance, the en-

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closed pamphlet may be new to you, if it affords you or any of my Friends the least amusement my end in sending it is answered. Please to dispose of my regards according to Your discretion and accept the best wishes of Your very affecte Friend &c. WW

RC (MH-H: bMS Am 1649.5).

[1] That is, Silas Deane, and Common Sense—Thomas Paine.

William Whipple to John Langdon

My Dear Sir, Philadelphia 2d March 1779

Your favor of the 29th Jany, No 12, came to hand only 2 or 3 days ago; there has been several parcels of money sent to the Navy Board since my arrival here but not in so large sums as I could wish, till a few days ago, when the Committee succeeded in an effort to procure a grant of 500,000 which is gone on and I suppose will be in Boston by the time this reaches you or perhaps Sooner. From this supply I hope you will be furnished with a sufficiency for your present occasions and if you will let me know when the Loan Office is in cash, I will endeavor to procure an order there.

I must refer you to the enclosed papers for news, but as that is an article you seem not to deal in I imagine you are not anxious about it.

I suppose the General Court will meet before this reaches you. I hope you will not fail to choose delegates (whose attendance may be depended on) early in the session. My colleague[1] says he shall set out for home by the 10th of April and I am confident he will be as good as his word and there is no pecuniary consideration that will be a temptation to me to tarry through the summer.

Adieu yours &c, Wm. Whipple

Tr (DLC: Peter Force Collection).

[1] That is, George Frost.

John Fell's Diary

Wednesday March 3d. [1779][1]

Commercial Committee. Congress. This day spent in Debates, on the Report of the Committee on Appeals, The State of Pennsylvania being of Opinion the Court of Appeals, Establishd by Congress, had no Authority over Courts of Admiralty where the Jury were Judges of Facts, Congress say they have a Right of Sovereignity in all Admiralty affairs whatsoever in the last Resort.[2]

MS (DLC).

[1] This day Pennsylvania delegate Frederick A. Muhlenberg took his seat in Congress, pursuant to his appointment by the state assembly the preceding day. *JCC*, 13:269-70.

Although little information concerning his subsequent attendance survives, an account covering his service in Congress dated November 4, 1780, claims compensation for continuous attendance from March 3, 1779, to October 28, 1780, broken down as follows:

"From March 3d. 1779 to April 4th. 33 Days at £5 per Day agreeable to a Resolve of the Assembly April 5th. 1779—	£165.0.
"From April 5th to Nov. 26th. 236 Days at £9.0.0 per Day according a Resolution of the Assembly Oct. 9th. 1779—	2124.0.
"From Nov. 27th to May 29th. 1780. 185 Days at £22.10 per Day agreeable to a Resolution of the Assembly Febr. 11th. 1780—	4162.10.
"From May 30th to Octob. 28th a.c. 152 Days at £60 per Day according to a Resolution of the Assembly May 30th a.c.—	9120.0.
	£15571.10."

Gratz Collection, PHi.

[2] For further information on the conflict between Pennsylvania and Congress generated by the prize case of the sloop *Active*, see Committee on Appeals Decree, December 15, 1778; and Committee of Congress to Joseph Reed, January 26, 1779.

John Jay to George Washington

Dear Sir, Philadelphia 3d March 1779[1]

The opinion that greater advantage results from communicating important Events to the People, in an authentic Manner, than by unauthorized Reports, is certainly just, tho often neglected.[2]

The Intelligence alluded to, is unfortunately of such a Nature, or rather so circumstanced, as to render Secrecy necessary. As Congress with the Consent of the Minister of France, have directed it to be communicated to you, further Remarks will be unnecessary. Doctor Witherspoon, who lately returned to Jersey, promised to do it in a personal Conference.[3]

A Committee was appointed this Morning to prepare an address to the People on the present State of our Affairs.[4] If properly executed, Benefit may be expected from it.

Two Letters, one of the 3d the other of the 6th Decr. from Mr. J. Adams, were delivered to Congress this Morning.[5] They mention no Facts of Importance, but strongly express his apprehensions, founded principally on the Kings Speech and the Debates of both Houses on the Subject of it, that great and vigourous military Exertions will be made to reduce us. But whatever Attention may be due to this Gentlemans Suggestions we certainly should remember that to be formidable in the Field, is necessary to be successful in Negotiation. Preparations should, and doubtless will, be made for both; but *when* is less certain. Delays being annexed and fastened to Modes of Government like our's.

You will oblige me exceedingly by communicating from Time to Time such Hints and Observations as may lead to Measures of public Utility. I shall always be happy in opportunities of being instrumental in extending to the Councils of America, the Influence of those abilities, to which she is endebted for the Reputation of her arms.

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Be pleased to present my best Respects to Mrs. Washington, and permit me to assure you that I am, with perfect Esteem & personal Regard, your most obedt Servant,

John Jay

RC (DLC: Washington Papers).

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[1] Although Jay clearly dated this letter "3d March 1779," it is probable that it was actually written on the fourth, as the matters referred to in notes four and five below were recorded in the journals by Secretary Thomson in his entry for March 4.

[2] In his March 1 letter to Jay, Washington had reported surprise "that the several important pieces of intelligence lately received from Europe, such parts of it I mean as are circulated without reserve in conversation, have not yet been given to the public in a manner calculated to attract the attention and impress the minds of the people." Washington, *Writings* (Fitzpatrick), 14:165.

[3] Jay is doubtless alluding to rumors that Spain might soon join France and the United States in the war against Britain.

[4] For this March 4 resolution of Congress, see *JCC*, 13:272.

[5] These letters from John Adams are actually ones of December 3 and 8, 1778. They were endorsed by Secretary Thomson "Read March 4, 1779," and he recorded this fact in his journal entry for the fourth. Adams' December 6, 1778, letter to Congress was read and is so endorsed by Thomson, on February 25, 1779. See *JCC*, 13:251, 272; and PCC, item 84, 1:25–35.

Marine Committee to Patrick Henry

Sir, Philadelphia March 3d. 1779

Your letter to the Delegates of the 19th of Feb.[1] has been laid before the Marine committee in consequence of the business of retaliation to our Marine presinors having been referred by Congress to that Committee as you will see by the resolve of July 27th last,[2] which is inclosed. The Committee make a distinction between such prisoners as properly belong to a particular State, and such as are Continental being made so by the arms of the U.S. The former, each State will avail itself of for the benefit of their own people in the power of the enemy, as a Cartel can be agreed on with the enemy by such State, as hath been frequently done by the Eastern States. Or such prisoners may, at the pleasure of the State to whom they belong, be delivered to the Continental Commissary for common benefit. At present no Cartel has ever been, or could be settled with the enemy for American prisoners in G.B. They being unwilling there to recognize us in such a light as Cartel would place us, and therefore these exchanges have been confined to prisoners in America only. We have however some reason to expect that the exchange may shortly extend to Great Britain. In the mean time, Sir, the State of Virginia will see by the resolve of Congress inclosed what are the sentiments of this Body on the subject of retaliation, and will adopt their mode if it shall be thought proper, with such prisoners as belong immediately to the State of Virginia.

I have the honor to be with sentiments of esteem and regard Sir your most obedient and very humble Servant.

Richard Henry Lee Chr. M. Comm

FC (MnHi: Allyn K. Ford Collection). Written and signed by Richard Henry Lee.

[1] Not found; and the only February letter from Governor Henry mentioned in the journals is one of February 5. *JCC*, 13:190.

[2] See *JCC*, 11:723.

William Paca to Joseph Reed

Sir 3 March 1779.

Being authorized by Congress to send for Persons & Papers & to examine Witnesses on Oath we Yesterday desired Mr. Mitchell Deputy Quarter Master to furnish us with the Book of Entries which contains Entries respecting Jesse Jordans Brigade of Waggons. He informed us that the said Book is in Possession of the Executive Council of Pensylvania. We request a view of it as for the furtherance of public Justice. We conceive it necessary in the Prosecution of our Enquiries on the Information which a Committee of the said Council lately gave us.[1]

I have the honor to be, Your most Obedt. Humb. Sert.

William Paca, Chairman

RC (PHi: Gratz Collection).

[1] The congressional inquiry into the conduct of Benedict Arnold while military commander of Philadelphia had begun with the appointment of a committee of five—Paca, Thomas Burke, William Floyd, Samuel Holten, and Jesse Root—on January 26 in response to a letter from Reed to Congress of January 25, 1779. The committee had been diverted by a simultaneous investigation of Arnold's aide Matthew Clarkson, however, and not until March 1, when Congress empowered the committee "to send for persons and papers, and to examine witnesses on oath," did the inquiry into specific charges against Arnold resume in earnest. See John Jay to Reed, January 27, 1779; and *JCC*, 13:263.

During that interval, Pennsylvania's case against the general had taken on new dimensions. Before any detailed investigation could be conducted, the Pennsylvania Council had expanded their attack, publishing their charges to the world, and Arnold had countered with a request for a court-martial to clear himself. See Daniel Roberdeau to Timothy Matlack, February 6, 1779, note; and *JCC*, 13:184, 188-89.

The original charge made by the council was that in October 1778 Arnold had ordered a brigade of wagons in Continental service under the command of wagon master Jesse Jordan to transport privately owned goods from Egg Harbor, N.J., to Philadelphia, and it was the pursuit of this issue that occasioned the present letter. As Jordan had briefly worked under the direction of Col. John Mitchell, a deputy quartermaster general, Mitchell had possessed documents pertaining to Jordan's activities, which the council had already obtained in collecting evidence against Arnold and which Paca's committee now wished to examine. For a number of documents pertaining to the council's investigation of Mitchell, see *Pa. Archives*, 1st ser. 7:160-61, 175, 179, 194, 207-9, 213-20; and *Pa. Council Minutes*, 11:706-9, 721. For other developments in the committee's investigation, see Paca to George Bryan, March 4; and Paca to the Pennsylvania Council, March 9, 1779. See also Charles Thomson's letters to Joseph Reed of February 19 and March 21; and Henry Laurens' Notes of Debate, March

26, 1779. Useful narratives of Pennsylvania's prolonged attempt to bring Arnold to justice are available in John F. Roche, *Joseph Reed: A Moderate in the American Revolution* (New York: Columbia University Press, 1957), pp. 167–71; Carl Van Doren, *Secret History of the American Revolution* (New York: Viking Press, 1941), pp. 188–93; and James T. Flexner, *The Traitor and the Spy: Benedict Arnold and John Andre* (New York: Harcourt, Brace & Co., 1953), pp. 237–59. The Pennsylvania Council ordered the publication of a compilation of documents on this case in *Proceedings of the Supreme Executive Council of the State of Pennsylvania in the Case of Major General Arnold* (Philadelphia: Hall & Sellers, 1779), item no. 16448, Evans, *Am. Bibliography*.

William Whipple to Joseph Whipple

My Dear Brother Philadelphia 3d March 1779

Your favor of the 1st Ulto came to hand this day, under cover from Mr. Hazard who it seems is prevented by business from persuing his journey to this City. I wish that Gentn may make some amendments in the Post Office, some alteration is certainly necessary, my letters are often 4 weeks & sometimes longer, on the way from Portsmouth. The Resolves of Congress respecting the Emissions that are called in, speak a language that need no explanation;[1] as they are receivable in the Treasury till the 1st of June they are certainly safe in the possesser's hands till that time, but he must be careful not to let that day elapse. Such a plan as you mention has been some time on foot. Our Commises. have their instructions for that purpose & I hope their endeavours will be successful. You certainly must be mistaken in Your calculation, I cannot see by what rules of arithmetic you make our debt amot even to a tenth part of the Debt of Britain. The Resolution of Congress does not hold up an idea that the assessment is justly apportioned, that matter is to be settled hereafter & that state which raises more than shall at the adjustment appear to be her just proportion will be allowed interest for the Surplus, therefore the State that raises more than her proportion will have greatly the advantage of those who do not raise so much; as the latter will have to pay & the former to receive interest; besides, if the money appreciates (which I have no doubt of,) the State who collects it now will have a great advantage of those who will have it to Collect at its apreciated value. I therefore hope N.H. will collect at least the sum set to her and as much more as possible, I wish it may be double the Sum.

I wish I could acquaint you with the designs of the British Court, but that is out of my power, some are of Opinion that there is a prospect of pease the insuing Summer, but that is an Opinion I can by no means give into, on the contrary I think every effort will be used to effect the distruction of America & it is absolutely necessary that we use our utmost exertions to frustrate their designes, if we act with vigour this Campaign I have no doubt they will give up the point, Dissipation & avarice will then be the only Enemies we shall have to contend with, indeed they are at this time the most Powerful.

We have not yet been made acquainted with the result of the negociations in Europe the winter past but be they what they may, it is necessary we shoud be United in Council & formidable in the Field. I shall keep this open till post day in order to send you any intelligence that may arrive by that time, if I send you none it will be because I have none.

I am Your very affectionate Friend & Bro. W.W.

RC (MH-H: Sturgis Papers).

[1] See John Jay to the States, January 10, 1779.

John Fell's Diary

Thursday March 4th [1779]

Commercial Committee. Congress, went in to a Committee of the whole house, to consider the Boundery Lines to be fixt for an Ultimatom, Adjourn'd till tomorrow, 6 P.M. Marine Committee.

MS (DLC).

John Jay to Jeremiah Powell

Sir, Philadelphia 4th March 1779.

Your Favors of the 10th & 12th Ulto. were Yesterday delivered me, & this morning communicated with their Several Enclosures to Congress.[1] They were referred to Committees, and whatever Resolutions, Congress may enter into on the Subject of them, shall be immediately transmitted to You.

Eighteen Commissions for armed Vessels, & a like Number of Bonds & Instructions are herewith Inclosed.

I have the Honor to be Sir, With great Respect, Your most Obedient and Humble Servant, John Jay. Presidt.

RC (M-Ar: Revolutionary War Letters). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 13:274. Only Powell's February 10 letter is in PCC, item 65, 1:382-85. It is endorsed: "Read March 5, 1779"; "Answered by the act of Congress of March 15, 1779"; "referred from Congress & recd at War Office the 17 April 1779."

John Jay to Jonathan Trumbull, Sr.

Sir Philadelphia 4th March 1779

I have had the pleasure of receiving three Letters from Your Excellency of the 11th Feby. which, with the several Papers enclosed in them, were

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this morning communicated to Congress.[1] The One, respecting the Bill drawn in favor of Mr. Holker is referred to the Treasury.

Twelve Commissions for armed Vessels, with an equal Number of Bonds and Instructions, are herewith enclosed.

Accept my thanks for your kind wishes & Congratulation; And permit me to assure you that I am, With great Respect, And Esteem, Your Excellency's Most Obedient & Humble Servant,

John Jay. Presidt.

RC (Ct: Trumbull Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] The journals indicate that two letters, not three, from Governor Trumbull of February 11 were read in Congress, and on March 5, not "this morning." *JCC*, 13:272–73. Only one of these, which requested "one dozen of Commissions, instructions, and bonds, for armed Vessels," is in PCC, item 66, 2:1–2.

Gouverneur Morris to George Johnstone

Sir, Philadelphia, March 4, 1779.

Having seen your speech on American affairs at the opening of the session, I cannot avoid making some observations upon it;[1] for although it contains important facts and sensible remarks, yet it is not without some mistakes.

You say, *the cause of America is wicked, because we are united with France for the express purpose of reducing your country.* The object of our alliance with the Most Christian King, is simply to secure that Independence without which our liberty would be but a name. And although you are too weak to maintain the present contest, yet you are too powerful to be conquered. Neither is it the interest of the House of Bourbon on the one hand, or of America on the other, that you should. Britain would be as troublesome a province to France, as America to Britain: Either would distract and enfeeble their masters. But, assuming your fact, is it *wicked* to attempt the reduction of a nation which hath lately shewn itself the common enemy of man? which hath drenched this country in the blood of its inhabitants, for the *impious* purpose of reducing them to unconditional submission. Impious, as *you* have repeatedly declared, as *they* have "with singular unanimity" directly acknowledged. Is it *wicked* to crush a court and a ministry profligate beyond conception, and deceitful beyond example.

You aver, *that the treaty with France is not ratified in a constitutional manner.* You are mistaken even on your own ground. Still more are you mistaken on the ground assumed by your government; for they confessed the authority of Congress to form treaties, by the very application which brought you hither.

You are equally wrong in supposing, that the objects of your commission were frustrated by delay. The draught of the bills arrived in season, and the sentiments of Congress were expressed on them so early as the twenty-second of April, previous even to the knowledge, much less the ratification of a treaty with France. They were expressed with an *unanimity* which, on such occasions, is not *singular*.

You say, *it was always your view that force should accompany the concession.* What concession do you mean? The acts of Parliament gave no more than what you frequently contended for as our *right*, and to assert that there is concession in giving a man his own, is hardly common sense, but certainly not common honesty. The idea of vigorous coercion in the moment of treaty, is a genuine British idea. It is a good one, provided the offers to be made in treating are generous and honest; but if insidious and unequal, it is marked with the spirit, not of a man, but a tyrant. That preparation for war is the best means of obtaining peace, is an old and true adage, but there is an essential difference between peace and dominion. Those in either country who seek the former on safe and honourable terms, will be gratified; those who aim at the latter will inevitably be, as they ought to be, most grievously disappointed.

The opprobrious language you make use of is but little ornamental to your eloquence, and would flow with more propriety from the pen of an hireling than the mouth of a statesman. That the Congress in their proceedings have a respect to the people, is true; that they attempt to deceive the people, is untrue. Shew, if you can, a falshood sanctioned by their authority. If you cannot, retract a charge which must recoil upon you. Whoever hath informed you that the newspapers are under the direction of Congress, was mistaken, or meant to deceive: And when you shall have the pleasure of perusing some late Gazettes, you will see not only that the Congress and its Members, but some other very respectable personages, are handled with sufficient freedom to contradict your charge. Be cautious, however, that you do not draw false conclusions from these publications. The Americans being really free, are subject, like other people, to the intemperatures of freedom. The conversations and conduct of your adherents, have seemed to flow from the following dilemma: If the newspapers do not blame measures and traduce characters, there is tyranny; if they do, there is disunion. But the natural interpretation is, that the former arises from public confidence and a sense of decency, the latter from personal emotion and the irritability of little spirits.

For what relates to the charge brought against you by General Reed, you will certainly acquit Congress of disingenuity, after you have seen what hath been stated on that occasion. Whether their zeal led them into declarations, which those who are accustomed to the business of corruption will consider as hasty and unnecessary, is not for me to determine, having had no *transactions where other means besides persuasion have been used.* This, however, you may be certain of, that it was no *political* stroke to avoid the question about General Burgoyne's troops. Nor will the harsh epithets which you and others so liberally bestow upon Congress, by any means impeach them. Pardon me, Sir, for observing, that on this occasion the charge of duplicity lies against you and your brethren in commission. To enter into the arguments would be tedious; but if you will suppose us to be, what we have declared ourselves, independent, then I pledge myself to meet you on the ground of national right, and shew that the Congress have acted with perfect consistency and integrity. At present I shall only observe, that you had no authority whatever to offer a ratification of the convention of Saratoga, and that you knew you had not at the moment in which you made the offer. At the same time I fully agree with you, *that policy founded on injustice and dishonour is contemptible in private life, and where the dignity of people is concerned, abominable meanness.*

That you was received at Philadelphia with joy; that they wished the continuance of the British army; that they made golden promises of thousands and tens of thousands to join you, is extremely probable. They made the promises as an inducement for you to comply with their wishes, and their wishes were founded on their hopes and their fears. But as a negociator, it was unpardonable to rest your creed on the opinions of those who were confined in Philadelphia. Your friends would naturally resort thither from other parts of the state, and consequently afford but a partial sample of the remainder. Your enemies would not readily avow their sentiments under a military government, which had not been exercised with too great lenity. And as for the inhabitants of your gaols, their ideas like their information, would naturally be much circumscribed. Nor can it be wondered at, if in the lingering tediousness of long confinement, worne away with want, and broken with the insolence of petty tyrants, their spirits should be so depressed as to adopt any means of relief which might offer. Had you consulted the British Generals; had you consulted former experience, you would have known that all reasoning on such foundations is illusory; all promises by such men ineptious; all reliance on either absurd.

But it seems you are persuaded, *that had you been at liberty to have acted in the field, your most sanguine expectations would have been fulfilled.* Those, Sir, who had *sanguinary* wishes and expectations, would have been gratified; those who delight in human woe, might have beheld with satisfaction the fields of carnage. If there be any who can derive pleasure from the pangs of a helpless widow, or the tears of fatherless children, they might have been satiated with the savage feast. But you are deceived if you suppose that losses, defeats or distress, could have induced a submission to unreasonable terms. America *has profited from her own example in the low state of affairs before the action of Trenton,* and believe me, the object is too large to depend on the fate of a battle, a siege, or a campaign.

You seem to be of a different opinion, whilst leaving the plain road of facts, you wander through the fields of supposition, to shew the propriety of your former conduct, and what you propose in future. *Suppose,* you say, *Admiral Keppel had beaten Mons. the Count d'Orvilliers,* that is, *destroyed half his fleet,* which he was prevented from doing by *the accidents of wind and weather; suppose Admiral Byron's Squadron had not met with a storm;* if Clinton had not been ordered to leave Philadelphia, &c. Why did you not at once suppose you had fairly conquered America, as well as that Byron had met no storms, Kepple no unfavourable gales, and Clinton no ridiculous commands. Incidents like these, should always be supposed by wise men. Wise men, Sir, will never stake the fate of an empire on the uncertainty of the winds, the turbulence of the waves, and the fluctuations of human opinion. Suppose d'Estaing had arrived in the Delaware before Philadelphia was evacuated, and that by the united efforts of his fleet and the American armies, you had shared the fate of the unfortunate, insulted Burgoyne. Suppose the Count, instead of leaving Rhode-Island had staid till the storm abated and then went to Sandy Hook to wait for the shattered fleets of Howe and Byron. Suppose he had in force have met the latter alone. Your suppositions, it seems, would have laid the topic of Independence asleep, and silenced its supporters; but mine would have placed the opposers of it in the most ridiculous light imaginable.

For the encouragement of friends and the terror of foes, you declare your unalterable resolution *to die in the last ditch*. The GREAT NASSAU made the same declaration, and in the mouth of a hero contending for freedom after the loss of many battles, against superior force and almost exhaustless resources, it hath a dignity and elevation which description cannot reach. But when it is used to color obstinate perseverance in a ridiculous war, for the sake of a bubble, a feather or a name, it is hardly in the compass of language to descend to such a deep profund. In what ditch, my good Sir, would you die? Shall the rich current which glides through your veins dash along the roaring Susquehanna, swell the great Potowmac, or fill the bay of Chesapeak? Shall it empurple the Canadian snows, shall it fertilize the arid sands of Florida, or stain the rocks of Nova Scotia, hard and unpitying of the generous sacrifice? The gentle Tweed can never be witness of his Johnstone's fate, for, indeed Sir, if you stay at home, we cannot possibly martyrise you. But seriously; why are you so apprehensive for Canada, Nova-Scotia, the Floridas, and West-India islands? It is not the interest, and therefore hardly the wish of our allies, that we should become dangerous to Europe, though it is their and our determination to render the United States secure. Neither can we harbor a desire after extended empire, when the pernicious effects of it on you are so recent. Besides, we have not men to squander on the unhealthy climates of Florida and the West-Indies. But why are you so inconsistent? You state us as very low and weak. If the fact be so, whence do you derive your apprehensions? You consider your nation in capacity still to subdue us. Why then do you harbor any fears? If our resources are really exhausted, if it is not in imagination to paint our contentions, divisions and sufferings, can you suppose that we shall continue the war for future improbable acquisitions?

You ask, *What reason America can have for not explicitly declaring her intentions of conditionally renouncing her connections with France upon your declaring her independency?* The answer is plain. Because she is honest. Would you go farther? Because she is wise. If she faithfully abides by her treaties, other nations will court her alliance. Suppose, for the sake of those fanciful advantages to be derived from *an union of force* with you, and to avoid *the evils of war in a dubious contest*, America had been guilty of breaking her

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faith; would you have relied on her promises? While you strove to make her so *wicked,* could she rely on yours? Not to mention the criminality, is there a greater absurdity, than at the very moment when you would lead men to repose confidence in *your* faith, to shew a sovereign contempt of it, by persuading them to violate *theirs?*

You say, that *your riches are greater than at the commencement of the last war,* but admit *the embarrassment of your funds.* Is Governor Johnstone yet to learn, that money and riches are very different things when applied to nations? Have you more men? Have you more manufactures? Have you more plenteous productions of the soil? Three millions of subjects are lost. Fifty millions of debt are incurred. All Europe is against you.

Your warlike operations, you say, *are less extensive in Germany, the East Indies, Portugal, North-America and the West Indies.* Who gave you the prescience to determine where and how the war shall rage? Are the East-Indies annihilated, that they can be no longer the theatre of your battles and your crimes? What has become of Gibraltar and Minorca? Have you abandoned the shores of Africa? Have you let the miserable Electorate of Hanover to farm? Have you conquered America? Or does it require a lesser operation for that purpose, than it did, with the assistance of your colonies, to reduce Canada? You certainly are of a different opinion; for you think *25,000 men are necessary in America exclusive of what are in Canada and Halifax:* These I suppose amount to about 3,000. Add to the account 12,000 which you ought to have in the Floridas and West-Indies, and it will make 45,000 men. You can neither send or maintain so large a force at such a perilous distance. New winds again may blow, again may storms arise, and fresh blunders be again added to the catalogue of national absurdities. Should a convoy be lost or a fleet destroyed, figure to yourself your *so excellent, so beautiful, and so well appointed army,* in all its *comeliness,* and in all its *grace,* panting for a piece of pitiful pork, or surrendering for the lack of musty biscuit. You speak of the American Tories as *a shrewd, cunning, sensible people, who will not join the weak and wavering;* and will they, think you, join the ruined and undone? Alas! Surrounded as you are with dangers and distresses of every kind, prudence seems wholly to have abandoned you: And like a ruined gamester, having lost so much as almost to have lost your senses, you would stake your clothes, your wife and your children on the desperate hazard, till nothing remains for you but *to die in a ditch.*

You are led to suppose, from some riots which happened between the French sailors and lower kind of inhabitants in the brothels of Boston, that *the indignant spontaneous passions of the people are indisposed to the French alliance.* Suppose (since you are so fond of suppositions) that an English fleet should have arrived at the *loyal* town of Boston, would the officers and seamen have been received with open arms, and pressed and caressed by the inhabitants? Suppose an English seaman and soldier should come to blows for a prostitute, would you, from this circumstance, apprehend a efection of your invincible fleet or graceful army? However *spontaneous* ight be their passions, you would hardly draw that conclusion.

It is said above, that peace may be had on terms safe and honorable for Britain and America. It may be added for every other party who may be oncerned in the war. What do you want with Gibraltar and Minorca? As adges of sovereignty and of ancient glory, they may feed your pride, but hey empty your purse; for your Levant trade is a losing game, and will, rom our independence, be more so every day. These places are like thorns n your neighbour's sides, who, for that very reason, cannot be your riends. If you mean peace, they can do you no good; and therefore it is our interest to get rid of them on the best terms you can. Jamaica is, ndeed, a valuable possession; but as it raises the jealousy of others and reates enemies to you, you should keep it no longer than until you can btain something better in lieu of it. Your privilege of cutting logwood in he Bay of Honduras, is useless, now that so much better is brought from Campeachey. And considering their situation, you cannot long possess the loridas, or wish to hold the Bahamas. Why not then abandon all these hings to Spain, who can give you territory of far greater value, and may erhaps extricate you from the *embarrassment of your finances.*

Nova Scotia, inhabited as it is by emigrants from the eastern states, and ommodious for their fisheries, is useless to you, tho' necessary for us. Nor an you suppose we shall think you sincere, if, in a treaty of perpetual eace, you insist on keeping Halifax to check our fisheries and fetter our ommerce. Bermuda is so dependent on us, that you cannot wish to hold t in terrorem at a certain national expence, when it can be of no national dvantage. Especially as compensation may be made you, in various ays, for ceding these things. Among other benefits you may hope from he cession are these, the saving of men and money; neither of which you bound in. A return of the sweets of American commerce, which a continuance of hostilities may deprive you of for ever; and a certain and firm uarantee of all your American possessions. Great-Britain and Ireland ondensed within themselves, will become more powerful than with their ate domains. Being not so easily attacked, their defence will be less expensive. They will be more capable of offence, because their force will not be mployed in the protection of distant possessions. You can have nothing to pprehend from us, because our system is from its nature, and must be rom necessity, pacific and commercial. You will become more populous, ecause you will not suffer the same waste of men from emigrations, arrisons, &c. By admitting a representation from Ireland, your government might be simplified so as to become active and efficacious. It is no aradox to say, that your manufactures would be in a more flourishing ituation. Those in which you cannot rival other nations, might languish; ut those which are natural to you, and being derived from your own esources, do not depend upon fortuitous incidents: These would be benefited by the accession of that money, labor, and ingenuity, which is now irected to other objects. And as these manufactures are not precarious,

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the wealth of a country might safely be rested upon them. It is a mistake, that exclusive privileges are advantageous. The character of a monopolizer is as odious, applied to a nation, as it is to a man, and as unprofitable as it is contemptible. But I beg pardon, Sir, for political disquisitions to so refined a politician, and for mentioning the means of peace to one enamoured of war. To the force of necessity; to the embarrassment of your finances; to that wheel of fortune which you wish not to be thrown out of, and whose revolutions will place your country as low in this as she was high in the last war; to these I leave you. When all other views are precluded, then you will see your true interests, and then you will join in a prayer for peace with Your most obedient and humble servant,

AN AMERICAN

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, March 11, 1779, where it appears under the heading "For the Pennsylvania Packet. To Governor Johnstone."

[1] Writing over his often-used pseudonym "An American," Gouverneur Morris wrote this public reply to George Johnstone in response to Johnstone's November 27, 1778, speech to Parliament explaining the failure of the Carlisle Peace Commission. Extracts from his speech to Parliament had been printed in the *Pennsylvania Packet* of February 11, 1779, and more extensive extracts were printed in the March 9 issue of that newspaper.

The fortunes of George Johnstone and the Carlisle Commission can be traced in many documents printed in volumes 10 and 11 of these *Letters*.

William Paca to George Bryan

Sir, 4th March 1779.

We are appointed for the Purpose of enquiring into the Grounds of certain Charges against General Arnold contained in a printed Paper purporting to be Resolves of the Executive Council of Pennsylvania and are directed to report the Result of our Enquiries to Congress.[1] Whether Congress will order a Court Martial or not on those Charges will we presume depend on the Evidence we shall be able to report and their Judgment of its Sufficiency.

In your's of the 25th of February you "explicitly declare that the Council is possessed of Evidence to support the Reasons alledged for their Resolves if the Congress chuse to found Charges upon them". We cannot see the Propriety of the Congress founding Charges upon Allegations the Evidence of which is known to you but not known to them.

As to the Delay which you reprobate as unprecedented permit us to observe that fourteen Days have elapsed since our Application to the Executive Council for Assistance in the Execution of our Enquiries which Assistance we have not yet been able to obtain.

We mean to close our Enquiries to Morrow Evening: we have directed General Arnold to attend us and we doubt not your Zeal for public Justice will induce you to furnish us by that Time with all the Evidence you are possessed of relative to the Subject of our Enquiry.

I have the Honor to be, yr. most Obed. Hble. Sevt.

Wm. Paca, Chairman

RC (NHi: Joseph Reed Papers).

[1] See Daniel Roberdeau to Timothy Matlack, February 6; and Paca to Joseph Reed, March 3, 1779.

John Fell's Diary

Friday March 5th 1779.

Commercial Committee. Congres. Report from the Board of Warr, Recomend a Mode of Payment, to the Inhabitants, for what has being taken from them Per Officers in the Army agreed to be Publish'd. A Report from a Committee to empower the Commander in Chief, to setle a Cartel with the British General for the Exchange of Prisoners, for the Convention Troops, or others as he may Judge Best. A number of Letters Received &c. 6 P.M. Marine Committee. £62456[1]

MS (DLC).

[1] The meaning of these figures has not been discovered.

John Jay to Anthony Benezet

Sir Philadelphia, 5 March 1779

Agreable to the Request contained in your favor of the 2d Ult. I have perused the Pamphlet you was so obliging as to send me.[1] The Benevolence by which the Author appears to have been influenced, does him Credit, and tho I cannot subscribe to all his opinions, many of his Sentiments are liberal and merit Commendation.

Civil and religious Liberty is a Blessing which I sincerely wish to all mankind; and I hope it will ever be the policy of these States so to extend and secure it to all their Citizens, as that none may have Reason to complain of Partiality or Oppression.

Your favorable Opinion of me, and kind wishes for my welfare demand my Acknowledgement.

I am Sir your Friend and Servant.

FC (NNC: Jay Papers). In the hand of John Jay.

[1] For Benezet's February 2 letter, enclosing his pamphlet *Serious Considerations on Several Important Subjects; Viz. On War and Its Inconsistency with the Gospel. Observations on Slavery. And Remarks on the Nature and Bad Effects of Spirituous Liquors*, see Jay, *Papers* (Morris), pp. 544–45. For the pamphlet, see Evans, *Am. Bibliography*, no. 15,737. Anthony Benezet (1713–84), a Philadelphia Quaker of French Huguenot descent, was an educator and reformer who became Pennsylvania's leading antislavery crusader, a cause to which Jay himself later became actively devoted. *DAB*.

John Jay to Certain States

Sir, Philadelphia 5th March 1779.

By the enclosed Copy of an Act of Congress of the 26th Ulto. your Excellency will perceive the distressed Situation of Massachusetts-Bay & Rhode-Island for want of Bread.[1]

I flatter myself care will be taken that the Exports be made in such Vessels as may be best calculated to avoid or resist the Enemy's Cruizers.

I have the Honor to be Sir, with great Respect & Esteem, Your Excellency's most Obedt. Servt.

NB. The Same to Governor's Henry & Caswell, with the following Postscript to Governor Henry.

P.S. I have received Information, which I beleive true, that the Enemy at New York are forming a Corps of Deserters from the Convention-Troops, & have intimated to the Officers in Virginia to encourage it; This Corps consisted about ten days ago of Seventy, & several have lately been apprehended on their way to New York.

LB (DNA: PCC, item 14). Addressed: "To His Excellency Governor Johnson."

[1] See Jay to the Massachusetts Council, February 27, 1779, note.

John Jay to the Deputy Paymaster in South Carolina

Sir, Philadelphia 5th March 1779.

You will receive herewith enclosed a Copy of an Act of Congress of the 18th Ulto. directing You to pay to Mr. Irwin & Co. or Order the freight of the Schooner Count D'Estaing, laden on Account of the United States and bound for South Carolina. Another Copy of this Act was sent by the Schooner.[1]

I am Sir, Your most Obedt. & Hble Servt. J.J.

LB (DNA: PCC, item 14).

[1] See Henry Laurens to Rawlins Lowndes, February 12, 1779, note 2.

John Jay to William Greene

Sir, Philadelphia 5th March 1779

A Copy of an Act of Congress of the 2nd Inst. is herewith enclosed. It transfers Fifty Thousand Dollars from the Quota of Tax assigned to your State, to that of South-Carolina, whose Delegates have agreed to it.[1]

I have the Pleasure of acknowledging the Receipt of your Excellency's

Favor of the 10th Ulto.[2] and Have the Honor to be, With great Respect, Your Excellency's most Obedt & Hble Servant.

John Jay, Presidt

RC (R-Ar: Letters to Governors). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See the postscript to Rhode Island Delegates to William Greene, March 2, 1779.

[2] Greene's letter to Jay is in PCC, item 64, fols. 428-31.

John Jay to Rawlins Lowndes

Sir, Philadelphia 5th March 1779

Your Excellency will receive herewith enclosed Copies of two Acts of Congress—one of the 26th Ulto respecting Supplies of grain & flour to Massachusetts-Bay & Rhode-Island—The other of the 2nd Inst. transferring Fifty thousand Dollars from the Quota of Tax assigned to Rhode-Island to that of South-Carolina whose Delegates have consented to the Measure.

We are impatient to be informed of the State of military Operations in Georgia, much time having elapsed since the arrival of any Intelligence from that Quarter.

I should have done myself the Honor of writing to your Excellency before on the Subject of the Invasion of Georgia, and the Apprehensions of South Carolina, but was prevented by Circumstances which will be hereafter explained.

I have the Honor to be Sir, With great Respect, Your Excellency's most Obedt. and Humble Servant, J. Jay.

LB (DNA: PCC, item 14).

John Jay to Joseph Reed

Sir, Philadelphia 5th March 1779.

Inclosed in a Letter of the 4th Inst. from the Honble George Bryan Esqr. Vice President of the Executive Council of this State, I received Six Bonds taken on the issuing of Six Commissions for private Ships of War.[1]

He informs me that "there were several Applications for like Commissions then made, & if I should think proper to put a further Number in their Hands, they should be accounted for".

Your Excellency will receive herewith enclosed Six Blank Commissions for private Ships of war, and a like Number of Bonds and Instructions.

I have the Honor to be with great Respect your Excys. most Obed Servt.[2]

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LB (DNA: PCC, item 14).

[1] Bryan's March 4 letter to Jay is in PCC, item 69, 1:635–38.

[2] This day Jay also wrote the following brief letter to John Bradford, Continental agent at Boston. "I have the Pleasure of acknowledging the Receipt of your Favor of the 10th Ulto. It was communicated to Congress this morning & referred to a Committee." PCC, item 14, fol. 59-60; and *JCC*, 13:275. Although Bradford's letter to Jay is not in PCC, a copy of it is in the John Bradford Letterbooks, DLC. Secretary Thomson's journal entry describing Bradford's letter, which dealt with the cases of the ship *Peggy* and the brig *Lively*, as one "of 13 February" is in error.

John Jay to George Gustave D'Ugglaa

Sir, Philadelphia 5th March 1779.

You will receive herewith enclosed an Extract from the Minutes of Congress on the Subject of your Memorial, from which You will perceive that as the States were equally divided on the Question, Your Request is not complyed with.[1]

I have Reason to beleive Sir, that the Objections to your Appointment arose from the Number of Supernumerary Officers in the American Service, & were by no means of a personal Nature.

I am Sir, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] *JCC*, 13:265, 269. A February 25 memorial to Congress from George Gustave D'Ugglaa, representing himself as "one of the Nobles of the Kingdom of Sweden," who had formerly held lieutenants' commissions in the armies of Russia and of the United Provinces, and one of February 24 to the Board of War, are in PCC, item 41, 10:279–80, item 147, 3:95–98.

Congress had deadlocked on a motion to endorse the Board of War's recommendation that D'Ugglaa "be appointed a lieutenant in the legion commanded by General Count Pulaski." For his applications to Congress of May and June 1780, which he signed "the Baron George Gust. D'Ugglaa," see *JCC*, 17:460, 486; and PCC, item 78, 23:1–4.

John Jay to George Washington

Sir, Philadelphia 5th March 1779.[1]

Your Excellency will receive herewith enclosed three Acts of Congress of this day—One for accepting the Resignation of Brigadier Genl. Varnum, another accepting the Resignation of Major Pawling of Colonel Malcolm's Regiment, and the third authorizes your Excellency at your discretion to settle with the Enemy a Cartel for the Exchange of Prisoners.[2]

I have the Honor to be Sir, Your Excellency's most Obedt. And Humble Servant, J. Jay.

LB (DNA: PCC, item 14).

[1] Jay had also sent Washington the following brief letter on March 4. "I have the pleasure of acknowledging the Receipt of Your Excellency's Favor of the 1st Inst, which, with the

Paper enclosed in it, was immediately communicated to Congress." See PCC, item 14, fol. 58, item 152, 7:135–36; Washington, *Writings* (Fitzpatrick), 14:165–66; and *JCC*, 13:270.

[2] Congress' resolve authorizing Washington to resume negotiations with the British for a general exchange of prisoners of war was adopted in consequence of a memorial from a number of American prisoners held on Long Island received by Congress on February 17. Although Washington began corresponding with Sir Henry Clinton on the subject almost at once, the resumption of such negotiations produced little of consequence until June 3. See *JCC*, 13:191, 279–80, 14:679; and Washington, *Writings* (Fitzpatrick), 14:238–39, 334–35, 359–61, 365–67. See also Committee of Congress to Washington, March 15; and Jay to Washington, May 10, 1779.

John Fell's Diary

Saturday March 6th. 1779.

Commercial Committee. Congress. Committee of 3 to conferr with a Committee of the State of Pennsylvania relating to the Court of Appeals. Several Memorials, Letters &c. A Warrant for 500,000 Ds for the use of Commercial Committee to Procure Cloathing for the Army.

MS (DLC).

Richard Henry Lee to James Warren

Philadelphia March 6th 1779

Sir,

I thank you very sincerely for your kindness in forwarding the parcel of bark by Mr. Brailsford, which I have received in good order, and would thankfully have paid that gentleman for his trouble in the carriage, but his civility would not suffer him to receive anything. I have no doubt Sir but that the same goodness which has forwarded this parcel of bark, will contrive the other by the first convenient opportunity. This is a medicine rendered necessary in my family from situation & climate which expose us to intermitting fevers. Indeed long habit has made its constant use indispensable to me.

I am extremely sensible Sir of your obliging sentiments of me and my family, and I hope we shall continue to deserve them. If all men like General Warren possessed wisdom, integrity, and discernment, such characters as Mr. Deane and his Adherents would never disgrace public employments, or venture upon such experiments as have lately been made on the public. However, indiscernment begins now to discern, and even the interested friends of Mr. Deane seem ashamed to support him. It will be happy for him if resentment rises no higher than contempt.

I have the honor to be with singular respect and esteem Sir your most obliged and very humble servant, Richard Henry Lee

RC (MHi: Mercy Warren Papers).

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Samuel Adams to Elizabeth Adams

My Dear Betsy Philade March 7. 1779.

Yesterday your obliging Letter of the 3d of February was deliverd to me by Mr. Hoskins.[1] I thank you for the Concern you express for my Health, which through the Divine Favor I again enjoy as usual. The Advice you give me on this Head shall be duly regarded.

Your Wish that I would resign the Office of Secretary perfectly coincides with my own Inclination.[2] I never sought for that or any other Place. Indeed I never was pleasd with it, for Reasons which you are not unacquainted with. I am very sorry for Mr ——[3] that he should treat me with Unkindness. I never gave any just occasion for it; but if he was bid to do it, how could he disobey? I heartily forgive him, for I do verily believe it did not proceed from the Malevolence of *his* Heart! To do him Justice I must say he is a good naturd Man, and would do the Duties of that office better than I should. But if he depends upon the Interest of a certain popular Gentleman[4] he may be disappointed; for he proposd last Summer to Mr L.[5] who mentiond it to me with a generous Disdain. But a Change of Place oftentimes induces a Change of Opinion, and even a Promise made in York Town or Philadelphia, may be forgot in the Hurry of Affairs in Boston. I do not think Mr A.[6] is my Enemy; or if he is, I am under no great Apprehensions from it. There are others who are of much more Consideration, at least in their own Estimation than he; and even those might upon certain Conditions be made my Friends. I mean as much my Friends as they are or can be to one another. A few flattering Speeches to this Man, and a Promise to that, of a Vote & Interest to keep him snug in the Possession of Places & Emoluments would effectually secure their gracious Smiles. But who would condescend to such Baseness for the Friendship of any Man? Let those who can do this, enjoy the Fruits of it. I do not covet them upon such Terms. I should become contemptible in my own Eyes; and *you* know that I had rather be despisd by all the World, hard as my Fate would be, than to be conscious to my self that I deservd Contempt.

I receivd a Letter a few Days ago from France dated the 7th of December,[7] in which my patriotick Friend Arthur Lee is mentiond in Terms of the highest Confidence and Respect. I will give you the following Extracts. "Your old Friend is a Man of *Honor* and *Integrity*"—"He has been of Opinion that the publick Money has been too freely issued here, and has often opposd it." "Insinuations, I have been told, have been made in Court against him, that he was too friendly to the English, too much attachd to Lord Shelburne, and even that he corresponded with his Lordship and communicated Intelligence to him. This, whoever suggested it, I am perfectly confident was a cruel Calumny, and could not have made Impression, if his Colleagues had contradicted it in the Manner you and I should have done. You and I have had opportunity to know his invariable Attachment to our Cause long before Hostilities commenc'd; and I have not a Colour of ground for Suspicion that from that time to this he has deviated an Iota from the Cause of his Country, in Thought, Word or Deed. When he left England, or soon after, he wrote a Letter of mere Compliment to his Lordship, a mere Card to bid him farewell, and receivd such another in Return; which he assures me are all the Letters that ever passd between them, and I have not a Doubt of the Truth of it"—"Some of the Gentlemen of Character who are now in America from this Country, particularly the ——— and ———,[8] it is to be feard, have had Prejudices insinuated into them against your old Correspondent. I am extremely sorry for this, because I think it is against a worthy Character, and because I think it will be likely to have unhappy Effects both with you and abroad."

You may show the foregoing Extracts to such of my Confidential Friends as you think proper. They are the Sentiments of one in whom they have great Confidence, and may serve to convince them that the Insinuations of Mr Dean though artfully made and designd to prejudice the Reputation of an honest Man, are groundless, and that Dr Lee, who took an early decided and active Part in this glorious Contest, continues the *consistent* Patriot.

Your Letters my dear, cannot come to me too frequently. Remember me to my Daughter, Sister Polly, Brother Tommy and other Friends, and be assured that I am, most affectionately, your,

March 9th.[9] S.A.

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RC (NN: Adams Papers).

[1] Elizabeth Adams' February 3 letter is not in the Samuel Adams Papers, NN.

[2] Nevertheless Adams did not resign as secretary of the Massachusetts Council, and he resumed the post after he returned to Boston in July 1779. See William V. Wells, *The Life and Public Services of Samuel Adams*, 3 vols. (Boston: Little, Brown & Co., 1865), 3:68–79.

[3] In the absence of Elizabeth's letter, this man cannot be identified.

[4] Doubtless John Hancock.

[5] Probably James Lovell.

[6] "Mr. A" has not been identified.

[7] The letter was written by John Adams. Although the RC of it has not been found, the copy of it in John Adams' letterbook, dated December 5, 1778, contains the passages quoted here by Samuel. Adams Family Papers, MHi.

[8] This passage reads "the Minister and Consul" in John Adams' letterbook copy—undoubtedly a reference to Conrad Alexandre Gerard and Jean Holker.

[9] Adams may have completed this letter on March 9, or perhaps he simply contemplated adding a postscript but did not do so.

New Hampshire Delegates to Meshech Weare

Sir, Philadelphia 7th March 1779

We are Honoured with Your Letter of the 4th Feby. with sundry inclosures, to which we shall pay due attention, and endeavour to answer fully per next Post.

A Petition from the officers of the Connecticut line to the Legislature of that State, simaler to that you inclose was some time ago layed before Congress, on which there is now a report of a Committee under consideration.[1] We flatter ourselves something will be done in the matter, but what we cannot at present say.

The Legislatures of Massachusetts Bay and Connecticut have taken measures to quiet the uneasiness of their Troops. Perhaps simaler measures might be adopted with success by the Legislature of New Hampshire.

We have the Honour to be with the most Perfect Esteem & Respect, Sir, Your most obed & very Hume Sert.

Geo. Frost

Wm. Whipple

RC (Nh-Ar: Weare Papers). Written by Whipple, and signed by Whipple and Frost.

[1] For the petition of the Connecticut officers seeking higher allowances which was laid before Congress on January 1, see Connecticut Delegates to Jonathan Trumbull, January 4, note 2; and William Whipple to Meshech Weare, March 23, 1779.

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia 7th March 1779

Your favor of the 6th Feby came to hand the 3d Inst.[1] I am happy to find the calling in so considerable a sum is attended with so little inconveniency, this circumstance leads me to hope you will be able to raise a much larger sum by Tax than is recommended for the Current Year, it is needless for me to point out the great advantage it will be to the state to Tax as high as the People can possibly bear, it is evident that every one must see it. I have never yet heard whether the Continental Tax for the last Year has been Collected, if it has I think Congress ought to have been made acquainted with it. I wonder much that a Court of Law should be in doubt whether a Resolution of Congress can superceed the Law of a *Sovereign* State, however I hope in time N.H. as well as the other States will feel the importance of Sovereignty.

A Report prevails to day that Genl Lincoln has had an action with the Enemy in Georgia & gain'd considerable advantage.[2] We have also an accot. which is said to be brot. by a vessel to Alexandria from France that two Frigates had taken 20 sail of British Transport with 1600 soldiers on board bound from Ireland to America & carried them into Port L'Oriant. If these Stories are true Perhaps a confirmation of them may arrive before I close this.

You seem very desirous for peace; in that I most heartily concur with you, But in order to obtain such a peace as will establish happiness in America, we ought to make the most Strenuous exertions for war. We ought to be United in Council & Formidable in the Field. I hope this will be the case, and that this Campaign will put an end to the cruel ravages so distressing to every humane heart.

How are you like to go on with your Constitution? I suppose while you were here you collected all those that have been formed by the different states, I have seen several, but there is none pleases me so well as that proposed by the Convention of the County of Essex.[3] I think that with a few alterations wod be a most excellent form of government. I wish N.H. may agree on one so well calculated for the Happiness of the People. I am, with real Esteem & Respect, Your sincere Friend & very Hume Sert

Wm. Whiplee[4]

[*P.S.*] I have inclosed a paper containing Gov. Johnstons Speech in Parliament to Col. Weare, an American answer is in the press.[5]

RC (PHi: Dreer Signers Collection).

[1] Bartlett's February 6 letter to Whipple is in Bartlett, *Papers* (Meyers), p. 241.

[2] Whipple may have been referring to the American repulse of a British attack on Port Royall Island, which was confirmed a few days later when Gen. Benjamin Lincoln's February 6 letter was received by Congress. See Samuel Holten's Diary, March 12, 1779.

[3] Whipple is undoubtedly referring to the plan adopted by Essex County, Mass., when it rejected a constitution proposed for the state in 1778. The so-called "Essex Result," which was written by Theophilus Parsons, called for a bill of rights, an independent state executive, a legislature based on proportional representation, and a liberal franchise. Theophilus Parsons, *Memoir of Theophilus Parsons, Chief Justice of the Supreme Judicial Court of Massachusetts* (Boston: Tichnor and Fields, 1859), pp. 47–53, 359–402.

[4] Signature thus in the RC.

[5] Whipple probably added this postscript on March 9. A lengthy extract of George Johnstone's November 27, 1778, remarks in the House of Commons appeared in the *Pennsylvania Packet*, March 9, 1779. For the answer of "An American," see Gouverneur Morris to George Johnstone, March 4, 1779.

William Whipple to Joshua Brackett

My Dear Sir Philadelphia 7th March 1779

I am Favored with Yours of the 9th Ulto by which I find People have not yet got their minds settled about Mr D——.[1] I do not much wonder at it; his publication operated very violently in his favor in this City, at its first appearance but at this period I do not know of any thing that wod injure a mans reputation (among Honest men) more than to be his advocate, those Characters who he has endeavoured by vile insinuations to calumniate are no doubt the most Faithful servants that have been employed by America; but Virtue does not always meet its reward, nor are the vicious always treated as they deserve.

It is reported from the Southward that Genl Lincoln has gained some considerable advantages over the Enemy in Georgia but as the Accot does not come very well authenticated it it needless to give you the perticulars.

I shall purchase the Book you mention if to be had, as for the Magazine

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I shall send you a specimen & if you think it worth taking shall follow your directions.

Its said intelligence is receivd by a vessel that is arrived at Alexandria from France that two France Frigates have taken 20 sail transports with 1600 Troops on board Bound from Ireland for America & carried them into Port L'Orient, if this report is true Perhaps a confirmation of it may arrive before I close this. Shod that be the case I shall take very perticular Pleasure in communicating a peice of intelligence which I know will afford you much satisfaction. Remember me very Affectly. to Your fireside & accept the best wishes of, Your Friend &c, W. W.

March 8th the southern post Brings no news.

RC (NjP: De Coppet Collection).

[1] Silas Deane.

William Whipple to John Langdon

My Dear Sir, Philadelphia 7th March 1779

Your favor of the 8th Feby I rec'd a few days ago, the contents I believe were answered in my last;[1] I hope before this time you have rec'd such a sum as will make you easy for a while on that score. I wish every evil you complain of were remedied, but we must have patience. I wish Congress had a sufficient degree of Omnipotence to gratify the virtuous desires of every one, but they have not—that Assembly are composed of mere men you know—men that are subject to all the frailties and imperfections of human nature, and stand in need of the assistance of their fellow citizens and I should be glad if their fellow citizens would assist them, so far as to cut the throats of a few of those pests to society, who under the character of speculators are at this time doing more mischief than ever was done to a community, by any set of villains since the creation; to these people three fourths of the evils complained of are owing—if a way can be found out to extirpate this race of infernals, I believe all things would go on very well.

I congratulate you on the Hamdens success[2]—I did not know she had been so long missing.

Capt Dame's appointment is in my judgment a wise one. I dare say he will do honor to the commission. According to custom I must refer you to the papers for news and am with sentiments of esteem and regard your friend &c &c. Wm Whipple

Tr (DLC: Peter Force Collection).

[1] See Whipple to Langdon, March 2, 1779.

[2] That is, the 20-gun New Hampshire brig *Hampden*.

John Fell's Diary

Monday March 8th [1779][1]

Commercial Committee. Congress. Speaker of the Assembly of the State of Pennsylvania's Letter to Borrow money for the use of the State, Referrd to a Committee of 3. Letters from Genl Washington, Govr. Turnbull &c. Report of the Committee concerning Lieut Hale[2] and the Crew of the Hotham—& a Letter to Adm Gambier.

MS (DLC).

[1] Samuel Holten's brief diary entry this day reads simply: "Monday. Congress adjourned before three oClock. I dined with the president." MDaAr.

[2] That is, Christopher Hele. See *JCC*, 13:293; and John Jay to Hele, February 16, 1779.

Francis Lewis to George Clinton

Dear Sir, Phila. 8 March 1779.

I had the honor to write you the 20th Ultimo, and now embrace the opportunity of transmitting a Pamphlet lately published,[1] together with the Newspapers.

By the latter you will perceive that animosities run high, between Genl Arnold and the Executive branch of this State, in so much, that I fear it may form *parties* in the Congress, & thereby injure the public Weal, especially at this critical juncture, when their whole thoughts should be employed in collecting *force* to oppose the common Enemy the ensuing Campain, which I think will be the Severest we have hitherto had, unless Spain Shd Soon acknowledge our Independency.

By advices lately from Europe, we are informed, that G.B. is determined to exert all the *Force* she can collect, against us, and tho' she can expect no considerable Allies, therefore dispairs of her power to subjugate America, yet it is said she is determined to carry on a predatory war, by burning our Towns & Villages on the Sea Coast, and employing the Savages to harass our frontiers.

It is announced by a paragraph in a New York paper of the 27th Ultimo, that Admiral K——ple[2] was Shot, the Genls. Bourgoyne & Prescot *Broke*, & that Genl H——e[3] was on his tryal before a Court Marshal.

This year must one way or the other determine our fate. G.B. if unsucessfull this Campain, will not be able to carry on another in America to effect, their resources both of money & men are greatly exhausted, and it is my opinion that *ours* is in the same predicament.

I know not whether the News papers are sent you regularly, if they are not, I will forward them by every opportunity. I have the honor to be, Your Excellency's most Obedient Humble Servant, Fra. Lewis

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RC (MH-H: Sparks Manuscripts).

[1] Probably Gouverneur Morris' *Observations on the American Revolution* (Philadelphia: Styner and Cist, 1779).

[2] Augustus Keppel.

[3] William Howe.

Samuel Adams to John Adams

Mar 9 [1779]

Mr L will write you fully by this Oppty.[1] I take up my pen chiefly to let you know that I am in the Land of the Living and bear you affectionately on my Mind. While I am in this World I am resolvd that no Vexation shall put me out of Temper if I can possibly command myself. Even old Age which is making Strides towards me shall not prevail to make me peevish. I find that an older Man than I am,[2] can in the apparent Coolness of Mind, stabb a dreaded Rival to the Vitals. His Words are like Honey, but there is a large Mixture of Poison. You who are in the Midst of Life & Usefulness, do not expect to escape the envenomd Shaft, but you have always the Cure at hand, Moderation, Fortitude & Prudence. It matters little what becomes of an old worn out Servt in this World. He has his foot on the Grave & with Pleasure views it. But the virtuous Patriot, who is in the full Exercise of the Powers of Body & Mind, shall have my remaining feeble Voice in his Support agt the insidious Enemy of him & Mankind. I have said eno on this Head, & Have not time to begin a new Subject. Adieu.

FC (NN: Samuel Adams Papers).

[1] No letter near this date from either James Lovell or Richard Henry Lee to John Adams has been found.

[2] Doubtless a reference to Benjamin Franklin.

Samuel Adams to Benjamin Austin

My dear Sir Philade March 9 — 79

Mr Hoskins, who arrivd here a few days ago, was kind enough to deliver to me your favor of the 7th of Feb.[1] It gave me a particular pleasure, because I was convincd that you had not totally forgot your old Friend. You see, I rank my self among your friends. How often have we chatted together by the fire side, and settled essential Points to mutual Satisfaction. Yet we have not always thought alike of Men who have conducted the noble Contest for the Rights of our Country, which we have been & are still engagd in. I congratulate my Countrymen on our having thus far got through the Conflict, but we *are still* engagd in it. And I repeat it, because while too many of our Countrymen are flattering themselves with the airy Prospect of Peace, Britain, if we may credit our latest & best

Accounts from Europe, is preparing for a vigorous Campaign. It is prudent for us to enquire of the Watchman *What of the Night?* The Caution given us on another occasion may with propriety be adapted to this. *Be ye ready;* lest when the Time of Danger approaches, ye be found distracted with the eager Pursuit of Riches, or sleeping in the delusive Lap of pleasure & Dissipation. But this is a Digression from the intended Subject of my Letter. You ask my opinion of two Men who have lately appeared on the publick Stage; and with your usual Frankness, express your own opinion without a Doubt, that Congress will soon convince the one of his Folly & the other of his Weakness. But have you not misunderstood the Characters of these Men? Has not the first by his artful Address conceald his Weakness from the publick Eye, while the other, by an improper Use of the Weapons in his hands, has given Advantage to his Adversary, and thereby discovered his Folly. Mr Dean had in his first Publication said so much as to make it necessary that some other Person should say more. Common Sense undertook the Task and producd stubborn & undeniable facts, but not contenting himself with relating such facts only as were pertinent to his Argument, he gave Occasion to the Swarms of Writers against him to avail themselves, by diverting the Attention of his Readers from the proper Point. I will mention an Instance. After he had provd to the Satisfaction of every one, that the Cannon & Stores forwarded to America by Mr Deane, had been negociated by Mary Johnson[2] & Beaumarchais before his Arrival in France, and consequently that the Merit of the Negociation did not belong to Mr Dean, what Necessity was there for Common Sense to mention them as *a Present?* It was nothing to his purpose; And it was too delicate a Subject for him to touch upon, or to attempt to prove if it had been true. His prudence therefore and even his Veracity was called in Question by his Adversaries, and his Authority & Influence as a Writer of facts lessend. The faithful Historian however, will hereafter unfold the secret Politicks of the present Day. The News paper Writings of these two Men, have drawn not only the Conduct but the Characters of others into Dispute. Had Mr Dean been only called upon explicitly to state his Charges, if he had any, against Dr Lee, I believe he would not have attempted it, and a Scrutiny of any Mans Character but his own would have been unnecessary. Although he has insinuated many things against the Doctor, & steppd aside from the Line of Propriety & Decency to bring in Invective, yet I do not recollect that he has explicitly criminated him in either, nor do I believe it is in his Power. If no one steps forward to accuse him, why should his Integrity be doubted? Why should you, my Friend, express yourself in so languid a Tone, "I cant *yet* but have a great opinion of Dr Lee," and "rather than the Cause of America should *be betrayd* I would give up the dearest Connections I have on Earth." Has Dr Lee forfeited the good opinion you "always had" of him? Do you doubt his Integrity & Attachment to the Cause of America? Has any one chargd him with Mal Conduct? Shall the mere Insinuations & angry Reflections of a disappointed Man lessen your good opinion of one whom you know to have been, early, decided, active, persevering and inflexible in the Cause of America? If this should be the prevailing Disposition, what honest Man will be safe? The consistent Patriot, after having endurd Fatigue & Danger for the Establishment of publick Liberty, would find himself still in the greatest Perils among his own Countrymen. I will say nothing decisively of Mr Dean at present; but I woud assure you of one thing, that were I connected with Dr Lee as a publick Man, and conscious of my own Tardiness, I should think I had every thing to apprehend, not from a peevish, fretful Temper with which interrested Men have attempted to stigmatize him, but from his stern Virtue and Republican Jealousy. I may be partial to Dr Lee. I confess I feel the strongest Obligation to him, for the eminent Services he renderd to America when he was in England, and to the Massachusetts Bay in particular. I hope my Countrymen are not all ungrateful. Some of them, I have been taught to believe are so; otherwise the publick Character of an old Servant would not have been aspersd, nor wd it have been said, as I am informd it has, that he had been *bribd* to desert his Country. It is his honorable Lot to have Enemies. Honorable, because he flatters himself his Enemies are among the weak & the wicked. I leave my own Character, under God, in the Care of my virtuous fellow Citizens. I will contend for Dr Lees, because I am his Friend; and I am his friend, because I have long had abundant Reason to be convinced that he is a Friend to our Country. I have said I may be thought partial to him. Be pleasd then to take the Testimony of another, and show it to his Friends and his Enemies. "Your old friend," says [one], "is a Man of Honor and Integrity." "He has been of opinion that the *publick Monies* have been too *freely* issued here, & has often opposd it." Let me remark here that it is no Wonder he has exposd himself to the Resentment of a Man thro whose hands the Chief to the money passed. "Insinuations, I have been told, have been made at Court against your old friend that he was too friendly to the English, too much attachd to Ld Shelburne & even that he corresponded with his Lordship & communicated Intelligence to him. This, *whoever* suggested it, I am *perfectly confident* was a *cruel Calumny*. You and I have had opportunity to know his *invariable* Attachment to our Cause long before Hostilities commencd & I have not a Color of Ground for Suspicion that from that time to this he has deviated from the Cause of his Country in *Thought Word or Deed*."

You may tell the Friends of Virtue and Liberty, that the Letter from which the foregoing Extracts are taken was written to me by one in whom they have always very justly placed great Confidence.[3] I could transcribe more Passages which mention Dr Lee as "a worthy Character," the unwarrantable Lengths to which the Animosities of interrested Men have been carried against him, & the Inveteracy of many Subaltern and collateral Characters but I think I have given enough to satisfy every reasonable Man. Adieu, S.A.

FC (NN: Adams Papers).

[1] Benjamin Austin's February 7 letter to Adams is not in the Samuel Adams Papers, NN. Austin (1717-1806), was a Boston merchant and member of the Massachusetts Council. *Columbian Centinel*, March 22, 1806.

[2] That is, Arthur Lee.

[3] That is, John Adams. For the letter quoted here, see Samuel Adams to Elizabeth Adams, March 7, 1779, note 7.

William Duer's Statement

To the Public. Camp on Raritan, March 9th. 1779.

In Mr Dunlap's Paper of the 2d March, I find myself mention'd by a Writer, under the Signature of T.G. as a Person, who, during the Time I had the Honor of representing the State of New York in Congress, had officiously interfer'd in the Politics of Pensilvania, in Consequence of which, I had become "the Hatred, and Contempt of many of the Inhabitants."[1] I feel no Emotion of Resentment either at the Charge, or against the Person, who has made it. The Accusation, I am conscious, is not well grounded; and I have Reason to think the Writer firmly believed he asserted what was Truth. This Opinion is founded on my Knowledge of the Pains, which have been industriously taken to circulate the Opinion by some Delegates of Congress, with whose political Sentiments and Conduct, I am not asham'd to think mine has frequently differ'd, and who have probably, by these Means, intended to divert the public Attention from the Intrigues, which they have sedulously fomented in the State of Pensilvania from the first Formation of their present Constitution, to this day. There is no Calumny, however gross, which may not, by an Artful Combination of some Circumstances, and Suppression of others, be made to assume a plausible Complexion. This is the Case with that, which has been circulated against me. My acquaintance for some Years past has been with many of those Gentlemen in Pensilvania, whose Sentiments and Conduct were Openly opposed to the present Constitution of that State. During my Residence there, the Conversation in Company with those Persons frequently turn'd (as it may naturally be supposed) upon the Form of their Government; on which Occasions, I often exprest my Sentiments of what appear'd to me defective in it, with that Freedom, which every Person, whether Resident in, or Citizen of the State, had a Right to do; and which I am conscious no Freind to the Liberties of Mankind can be offended with; because Discussions of this Nature tend to investigate that System of Government, which bids fairest to promote, and Secure the Happiness, and Liberties of the People, for whose Benefit all Government ought to be instituted. If this can be call'd an Interference in State Politics, I may with as much Propriety charge many Gentlemen of the State of Pensilvania,[2] with having intermeddled in the Politics of almost every State in the Union; because I have heard the various Constitutions frequently canvassed, and many Parts of them severely reprobated. Those,

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who know how fine a Web Suspicion will Spin, when Party Spirit runs high (which unhappily has been for some Time the Case in Pensilvania) will not be Surprised that the Circumstances, which I have mention'd should operate in the Manner they have done. It is not improbable, they may have derived Strength, either from a Wrong Conception of some Parts of my Conduct in Congress, when Affairs relative to the State of Pensilvania were in Agitation, or from an Uncandid Representation of it by designing Persons without Doors.

I shall mention the material Instances, which, I have been inform'd by reputable Citizens of the State, have been made Use of to Strengthen the Suspicion, that I have officiously intermeddled in the Politics of Pensilvania, together with the Motives of my Conduct; and I shall then leave it to the dispassionate Judgment to determine, whether the Part I acted as a Trustee for the general Interest of America was reprehensible, or praiseworthy.

The principal Circumstance of this Nature, which I have heard alledged, was my promoting a Measure in Congress for Exercising certain Acts of Power in the State of Pensilvania, during the Recess of the Executive Authority in the Spring 1777. The Simple Account of this Transaction is as follows.

Soon after I took my Seat in Congress as a Delegate from the State of New York,[3] the Enemy meditated an Attempt upon the City of Philadelphia through the State of New Jersey. The legislative Authority of the State of Pensilvania was adjourn'd, and by the Absence of some of the members of the Supreme Executive Council, a sufficient Number were not left in the City to Exercise Powers, essential to its Safety, and to the general Wellfare.[4] Representations were frequently made to Congress and to Individual Members of vast Quantities of Provisions and other Articles being stord in the City, which, if it fell into the Hands of the Enemy, would greatly benefit them, and be materially miss'd by our Army. A Removal of these Stores was strongly urg'd by General Washington to Congress, and by them judg'd Expedient. The Question then arose how this Measure was to be Executed, as there was no Authority in the State vested with Powers adequate to the End. On Motion made in Congress (I beleive by myself) a Committee was appointed to confer with the President of the State, the Members of the Pensilvania Board of War, and Such Gentlemen of the Executive Council as were in Town, on the Mode of Authority necessary to be Exercised in the State of Pensilvania, during the Recess of the Executive Council.[5] The Committee consisted of the Delegates of Pensilvania, Mr. John Adams, Mr. R.H. Lee, and myself. After a mature Deliberation, it was determin'd in the Committee of Conference, without a Dessintient Voice, to report, "That Congress should declare it as their Opinion that, considering the threaten'd Invasion of the State, and the Recess of the Legislative, and Executive Powers, the President of the State, the Members of the Pensilvania Board of War, and Such of the Executive Council as were in the City should Excercise such

Acts of Power, as were essential to the Safety of the State, and to the General Weal: and that it should be earnestly recommended to the Inhabitants chearfully to Submit to this Authority." Upon these Principles, a Report was drafted, and Submitted to Congress; and Such was the Conviction of the Propriety of the Measure at that Time, that (if my Memory does not deceive me) it pass'd without a Division; certain I am, if there was any, it was very insignificant in the Negative. If any Censure can with Propriety be thrown out against the Promoters of this Measure, why not extend it to all the Members of the Committee? Why not, to the Gentlemen of the State, with whom they Conferr'd, and who were Unanimous in the Report? Why not to Congress, who Concurr'd in it? The Truth is, there is no just Plea for Censure: and, though there is no Person more tenacious than myself of preserving from the Encroachment of Congress the Exercise of the Internal Polity of the respective States, I will venture to give it as my Opinion, that if Congress, during what I may call this Interregnum in Pensilvania, and when the State was hourly threaten'd with an Invasion, had actually Excercised by themselves, or a Committee, every Power in that State necessary for its Safety, and for the common Interest, they would have been strictly justified. I will go further, and Say, that if they had neglected adopting this or a Similar Measure, they would have been unworthy the high Trust vested in them by the People of America. Their Powers were not limited by any Article of Confederation; their Object was to carry on the War in the most effectual Manner against the Common Enemy, and to SuperIntend the general Weal. I remember that in the Conversation, and Writings of some Persons at that Time, who disapproved of the Constitution of Pensilvania, this necessary Interference of Congress was made Use of to the Prejudice of the Government, and of those who Exercised it; and as I was intimate with many, who were open in their Disapprobation of the Constitution, it is not to be wonder'd that Jealousies should be Entertain'd against *me* in particular, as being Active in promoting a Measure, which the Partisans of the Constitution considered as an Engine of Opposition.

This Transaction, I beleive, laid the Foundation of those Suspicions, which the Writer under the Signature of T.G. mentions. Other Circumstances occurr'd in the Discharge of my public Trust, which, I am told, were perverted to Strengthen them. It will sometimes happen that the Legislatures of the respective States (however pure, and patriotic their Intentions may be) pass Laws, which in their Operation not only defeat the very Object they have in Veiw, but often clash with the general Weal. In the latter Case I conceive it to be the indispensable Duty of Congress to recommend to the Legislatures of the States enacting such Laws, a Repeal, or Revisal of them. Of this Nature I considerd the Laws of Pensilvania allowing the Commutation of personal Service, in the Militia, by the Hire of Substitutes, and that relative to the Quarter Masters Department enacted in the Winter 1777–8. The first Law, in its Consequences naturally tended to impede the Recruiting Service for the Confederal Army,

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and to Encourage Desertions from the Quotas of other States, by tempting the Soldiers to follow the profitable Trade of a Militia-Substitute. I shall not insist on the Evil of its introducing a Mercenary Principle, in lieu of that *Ardor Patriæ*, or Love of Country, which ought to animate the Militia, and which is the only Basis, that can render it formidable. Frequent Representations were made of the ill Effects of this Law by many Officers of Repute in the Army, particularly, Several in the Pensilvania Line. In Consequence of which, it was determin'd by the Board of War (of which I was a Member) to report a Resolution to Congress, recommending the Repeal of it.[6] This Resolution I was desir'd to draft; and, as I knew the Jealousy, which the Government of Pensilvania entertain'd[7] of Congress' animadverting on their Laws, particularly when they chanc'd to originate from me, I drew up a general Resolution, recommending to the Legislatures of all the States a Repeal of Such Part of their Militia Laws, as permitted the Engaging of Substitutes. In the Course of the Debates on this Subject, the Generality of the Resolution was objected to, particularly by some Members of the Eastern States, who said that Laws allowing Substitutes in the Militia Existed in the States, they represented; but that they were so qualified as not to produce those ill Consequences, which flow'd from the Pensilvania Law;[8] a Circumstance which I am inform'd gave Umbrage, and Subjected me to fresh Jealousy.

The Law respecting the Quarter-Master's Department (though probably meant to prevent those Abuses, which I am sorry to say too many of the Citizens of these States have Suffer'd from Persons Employ'd in the Subordinate Branches) render'd the Process of procuring Teams so Extremely tedious, as, by an Adherence to it, to subject the Army to a precarious Supply. Many Representations were made of this to the Board of War, and at one Time in particular, the Critical State of the Army for Want of Provisions was Such, as to give just Ground of Alarm, that they would be obliged to disband, unless the most Speedy, and Vigorous Measures were adopted for their Releif. In Consequence of this, Congress pass'd a Resolution, directing the Board of War to take the most Effectual Measures for forwarding Supplies to the Army. The Board immediately order'd out Parties of arm'd Men under the Command of discreet, and Active Officers in the Pensilvania Line to impress a Number of Waggons (particularly from the disaffected) in Lancaster, and the Adjacent Counties, and to forward them loaded with Flour, and other Provisions for the Use of the Army. The Order was Executed with Spirit, Prudence, and Diligence; and in Consequence of it, a Considerable Supply of Flour arrived at a Time, when the Army had been Compell'd for some Days to range the Country, and distress the Inhabitants in order to procure a Scanty Subsistance. This Measure, I confess, was a Violation of the Law of the State; but if there is any Crisis in the Affairs of a Nation in which Laws must Sleep; (and Experience proves there is) that, which has been mention'd, was one. The Situation of the Army was desperate; an immediate, and Vigorous Remedy was necessary. The Powers then Exerted by the Board have been frequently Exercised on less urgent Occasions in the different States, without Exciting those Murmurs, which, from the Jealousy then Existing in Pensilvania, were at that Time Exprest against those concern'd in the Execution of this Measure: notwithstanding the Safety of the State of Pensilvania, which depended on the Army's keeping Embodied, was so immediately involved in it.

The last Circumstance I shall mention (on which it is said great Stress has been laid) is the Uniform Opposition, I have lately given in Congress to Advances of Money, being made to the State of Pensilvania from the Continental Treasury. This has been misrepresented as flowing from a Desire to obstruct the Execution of the present Government. Nothing was more foreign from my Intention. The Object I had in Veiw was general, not partial. Since the Commencement of the present War, the different States in the Union have, from time to time applied for Advances of Money out of the Continental Treasury, for the Purpose of paying Debts contracted on Continental Account, and, in some Instances, the Contingent Expence of their Government. The Sums, which have been advanced to the different States are prodigiously unequal; and none of these Accounts have been adjusted. It appear'd to me of infinite Consequence, in order to maintain that Harmony between the States, so Essential to their Union, and Safety, that all these Accounts should be liquidated without delay; and, that instead of applying to Congress for further Advances of money, the States should have Recourse to deep Taxation, the only radical Cure for the grand political Disease. These Ends I knew would be best Effected, by not making any further Advances to the respective States; and, upon this Principle, I opposed Grants of Money for some Time past, not only to Pensilvania, but to the other States in the Union.

This Conduct of mine, and my Reasons for it must be well known to many Members of Congress; and must be particularly remember'd by the Honble. Mr. R. Morris, on an Application which not long Since he made to Congress for an Advance of Money to the State of Pensilvania. I pertinaciously opposed this Advance, and if my Opposition had been founded on the disgraceful Principle imputed to me, it is not to be presum'd, I should have Continued it, when the Measure was advocated by a Gentleman, openly averse to the present Constitution, and with whom I was intimate both in private, and political Life.

Every Person, who has been a Delegate to Congress, must know that it is utterly impracticable to discharge, with a becoming Firmness, and Integrity, that Duty, which a Person, vested with so high a Trust, owes to America in general, without oftentimes giving Offence to *Individuals*, and Sometimes to *States*. When I accepted of the honorable Trust reposed in me, I never Expected to avoid giving Offense—my only Study was not to give just Grounds for it. I therefore spoke, acted, and voted with Boldness; and left it to others, who might have Sinister Purposes to carry, either for their States or themselves, to shew a Temper of Forbearance and Complaisance, at the Expence too often of the Treasure, and Reputation of the United States.

I have thus laid before the Public a plain State of those material Points, which I have Reason to think have been made an Artful Use of to confirm the Suspicion, that I had been Active in the Political Disputes of the State of Pensilvania. There may perhaps be some others, which I have not heard of, that have been perverted to the same End. I solemnly declare, that I never was concern'd directly, or indirectly in any Writing, or Publication, whatsoever, relative to the political Differences in the State of Pensilvania, or in any Meeting or Conference, with any Individual, or Body of Men, on the Subject of those Differences. Though I oftentimes exprest my Sentiments with Freedom on the Form of their present Constitution, it was in the Company of those whose Way of thinking was very Similar to my Own, and therefore not calculated (had I been even inclin'd) to make Proselites.

I have been induced to enter into this Explanation, not because I am ambitious of Standing forth as a Writer (which, considering the Spirit of many late Publications is no Eligible Character) but, from an Apprehension that my Silence may be construed as an Admission of the Charge. I consider the Interference of any Person in the political Differences of a State, of which he is not a Citizen, during the Time he is a Member of Congress as reprehensible; and I am sensible it would be consider'd in that Light by the People, whom I had the Honor to represent. They have Experienc'd the baneful Effects of the Interference of some Delegates of Congress in the political Differences of their own State; and have Complain'd of it through their Legislature to Congress. Happy would it be for Pensilvania if others had been as innocent of the Accusation thrown out against me, as I am! That the Case is otherwise is so notorious, as to render it unnecessary to point out the Characters. Some of them will probably be found in the Number of those, who, taking Advantage of the distressed Situation of the State of New York, have not only fomented Divisions in it, which might otherwise have been Amicably heal'd; but have, in an insidious Manner, countenanc'd an Open Revolt from the Jurisdiction of that State; thereby Exposing it to all the Miseries of a Civil Contest, and hazarding the Peace, and Union of the general Confederacy.

I feel myself interested in the Happiness, and Safety of Pensilvania, and love its Inhabitants. My ardent Wish is, that she may not, when too late, lament the Effects of the Interference, I have mention'd; but that she may be able to discern her true political Interest, and not Experience the fatal Effects of a dismember'd Jurisdiction, and open Revolt, countenanced perhaps by some of those, who, *at present!*, assume the Mask of Freinds.

In order to fetter my Reputation with that Chain of Suspicion, the Links of which have been so artfully forged, it has been industriously insinuated, that I was on Account of the Impropriety of my public Conduct omitted in the last Nomination of Delegates for the State of New York. The true State of that Matter is as follows. A Close, and unremitted

Attention to public Business, for the Space of three Years, had much Embarrassed my private Affairs, and impair'd my Constitution. I therefore was Constrained to give in my Resignation previous to the last Appointment of Delegates for the State of New York; and assign'd my Reasons for so doing to the Legislature of that State. In a late Letter which I received from the honorable Speaker of the Assembly of New York, he informed me that my Reasons were deem'd Satisfactory by the House, and that he was directed to assure me, that nothing but my having declin'd would have induc'd them to omit me in their present Nomination. Nothing but the Duty, which I owe to my own Reputation compells me to mention this Matter for which (under any other Circumstances) I might Subject myself to the Imputation of Vanity.

Though I have never Courted, I wish to deserve the good Opinion of the People of America; and particularly of the Citizens of my own State, for whose Information principally this Publication is intended.[2] Should I, after all my Exertions, be disappointed in this Object, I shall console myself with the Consciousness of having Endeavor'd to discharge my public Trust with Fidelity to my own State, and to America in General, without dreading the undeserved Censure of Individuals or even of particular States. W. Duer.

MS (NN: Miscellaneous Manuscripts). In the hand of Duer. Endorsed by John Jay: "Mr. Duers Vindication v. T. G. 1779." Endorsed by William A. Duer: "Found amongst the Papers of the late John Jay—& given to me by his Son Peter A. Jay. Jany. 15th. 1830. W. A. Duer." MS (NN: Emmet Collection, no. 669). In the hand of Duer. Endorsed: "Duers Defence." Both copies appear to have been made by Duer from a now-missing draft which may have been sent to a New York newspaper for publication. The copy endorsed by Jay appears to have been made after the Emmet copy because it includes words that were inserted to replace words crossed out in the latter. Both copies have textual omissions which were supplied in the margin by Duer. The most important of the discrepancies are noted in the footnotes below.

[1] William Duer wrote this statement to defend himself against the charges signed "T.G." [Tiberius Gracchus], a pseudonym used by Pennsylvania Council secretary Timothy Matlack, which had been printed in the *Pennsylvania Packet* on March 2. Matlack's denunication of him had been triggered by the publication of a letter written by Duer's colleague Gouverneur Morris that had appeared in the *Packet* on February 27. "By intermeddling with the state politics of Pennsylvania," Matlack had charged, Duer had "raised jalousies concerning him which subject his conduct to close inspection, and in the end, brought him to the hatred and contempt of many people of this state."

Although Duer states near the end of this essay that he wrote this response for publication, no evidence has been found that it was ever printed. However, no copies of either *The New York Journal* in Poughkeepsie or *The New-York Packet, and the American Advertiser* in Fishkill have been found for March 1779. Since he obviously sent one copy of his "Vindication" to his colleague Jay, it seems reasonable to conclude that Duer, who had left Congress in December 1778, sent it for publication in a Philadelphia newspaper but that Jay decided not to, perhaps to avoid exacerbating interstate relations. For Matlack's acknowledgment of his use of the pseudonym "T.G.," which he employed in several attacks on Gen. Benedict Arnold, see *Pa. Archives*, 1st ser. 7:271. For the public letter of Gouverneur Morris that elicited Matlack's scorn and prompted his simultaneous attack on Duer, see Gouverneur Morris to the Pennsylvania Packet, February 27, 1779.

[2] In the Emmet MS, Duer wrote "in the City of Philadelphia" in place of the preceding five words.

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[3] Duer took his seat in Congress on April 7, 1777. *JCC*, 7:230.

[4] The Emmet copy has "Weal" rather than "Wellfare."

[5] For Duer's discussion of this episode in April 1777, when he expressed concern over the consequence of Pennsylvania's "Langour" in the face of a new British invasion, see these *Letters*, 6:601–4, especially p. 603n.2.

[6] For this December 4, 1777, resolution, see *JCC*, 9:1002.

[7] The Emmet copy has inserted here: "of the Resolutions."

[8] The Emmet copy has inserted here: "These Ideas prevailing, the Resolution was amended accordingly, and Confined to the State of Pensilvania."

[9] For James Duane's concern over New York's initial failure to acknowledge Duer's service as a delegate, and the legislature's belated effort to make amends by extolling "his Zeal for the Cause of his Country," see Duane to George Clinton, January 3, and February 20, 1779, note 2.

John Fell's Diary

Tuesday March 9th. [1779]

Commercial Committee. This day chiefly spent on the Report, for Recruting the Army of 80 Batallions. 6 P M Marine Committee.

MS (DLC).

John Henry to Thomas Johnson

Dear Sir Philadela March the 9th. 1779

My letters intended for the last post did not get in time to the office. Nothing of any importance has turned up since. By a Letter from the General we are informed of some preparations at New-York for the Embarcation of a small Detachment. It is thought they are for Georgia. The Event of the late invasion of Jersey you will see by the papers.

Mr. Hudson has a Letter which is the latest Account from S. Carolina which says, the Enemy in attempting to march to Augusta (which lies high up the Savannah) met with a severe check from Genl. Williams.

Enclosed is a letter from Col Richardson to me respecting Mr. James Gilchrist who is now at New-York and very desirous of returning and residing in Maryland. I did not think it proper to move Congress for a passport, being fully convinced that no such power belongs to them or the Delegates. Who shall be subjects of the State must depend alone upon the will of the State. I should be glad to have your advice and opinion upon this Matter.[1] Should you want any further information concerning this gentleman Col. Richardson will readily give it. I have sent you by this post a pamphlet called observations on the American Revolution as drawn up by a Comtee. of Congress. It is little more than connecting and throwing together in one point of view, the proceedings of Congress; also Governor Johnson's speech and the address of the House of Commons to the King. I do not expect to be at the Assembly, indeed it is impossable as my Horses are not here.

I am Sir with great respect your very hble Servt.

J. Henry Junr.

RC (MdAA: Red Books).

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[1] The Maryland Council's journal indicated that on March 11 it granted Gilchrist's request and issued a passport permitting him to enter the American lines. *Md. Archives*, 21:320.

James Lovell to Abigail Adams

Mar. 9. 1779

It is hardly necessary that I should tell the amiable Portia of my having within 4 days recd. a letter from her worthy Husband, as the date is no later than Sept. 26, and Capt. Bradford mentions having recd. others, doubtless later and inclosing some for you. We have this Morning also recd. one from him (Mr. A.) dated Sepr. 7th. At the Time I recd. the first mentioned Congress had from him one of Decr. 6th or 7th so that he was then well.[1]

He has seen an intercepted Letter of Simeon Deane to Silas which contained some indecent hints respecting the Adamses but he comments upon it with his usual Superiority & properly despises the Writing & the Writer. He pays *us*, great Folks, off, as he used to do when here, for not seeing that Taxation is the only Remedy against Depreciation, in our Circumstances.[2]

I would close here by telling you how affectionately I esteem you, if I was not sure that it would rather mortify than please you while your mind is anxious to know how this indecisive Assembly intend to dispose of your best Friend. There is a strange Delay and something of Mystery in the Propositions that have been lately made here respecting our foreign Affairs. But, be assured, I have not yet perceived any Thing which probably will affect Mr. A—— in a disagreable Manner. I am not entitled to write so confidentially to you about the mighty Congress as Mr. A—— used to. For though I think I may venture, yet I do not know how far. We are *talking* here about War *or* Peace. Would to God we were vigorously *acting* for one *or* the other. Look round you & guess which of the two we ought to *talk* least about. I hope that we shall not gape so eagerly after a desirable Object as to break our Necks in the Pursuit. We had better keep our *Eye* upon the Ditch & the Cheveaux de Frize though our *Fancy* will be roving.

But, I had better quit this Topic, or I shall destroy all the Credit of your Sagacity, and bring you down to a par with the Wiseacre who was called upon to tell whether his Wife had brought him a Girl *or* a Boy, and who guessed right at the *second* Tryal. I will give your Wit & Judgment fairer Play, that I may have if possible some new Cause to admire you.

JL

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[*P.S.*] What signifies putting above those Initials the particular Truth which I hope is graven among the *Articles of your Belief.*

RC (MHi: Adams Papers).

[1] John Adams' September 26, 1778, letter to Lovell is in the Adams Papers, MHi. His letters of September 7 and December 6 to President Henry Laurens are in PCC, item 84, 1:13-16, 29-30. For the receipt of those to Laurens, see *JCC*, 13:251, 296.

[2] Lovell is referring to parts of Adams' September 26 letter.

James Lovell to Horatio Gates

Dear General Mar 9th. 1779

I fully intended but fear I have in my hurry twice forgoten[1] to say to you that I have ever thought Majr. Ayeres a Man of strict probity and honor and hope he will have every Opportunity of maintaining that Character on Tryal which the nature of such Proceedings admit of.[2] He must be strangely altered if he is now a Rascal.

Yr Friend & Servt. James Lovell

[*P.S.*] Brown has this moment been pardoned.[3]

RC (NHi: Gates Papers).

[1] Lovell also wrote the following brief letter to Gates under the date March 9.

"Indeed & in Truth I have not Time to write to you. The more a Man is disposed to do here the less able he is on that very Score. It seems to me as if it was the general Opinion of People that nobody but Massachusetts Delegtes. did Business. When we are in Assembly, there is either a perpetual Knocking at the Door or a Crowded Parlour, except indeed Foreigners who give nobody the Trouble of asking "who is there," but bolt into your Bed Rooms. Mid night only is secure for drawing up Reports.

"Vexed as I am, I can compose myself to assure *you* of great & sincere Esteem." Gates Papers, NHi.

[2] For information on the charges lodged against Maj. Joseph Eayres and other officers at the armory in Springfield by the Massachusetts Council, see John Jay to Washington, February 15, 1779.

[3] Ensign John Brown of Massachusetts, who had been sentenced to death by a court-martial, was pardoned this day by Congress. *JCC*, 13:296.

Marine Committee to the Eastern Navy Board

Gentn March 9th 1779

Above is a Copy of our letter of the 26th ultimo.[1] We now desire that instead of the Frigate Providence, the Warren May be fitted out with all possible despatch.

We are Gentn., Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] It is clear from the subject discussed that the committee is referring to its February 21, 1779, letter to the board.

Marine Committee to Joseph Reed

Sir, Marine Committee, Feb'y [*i.e.* March] 9th, 1779.[1]

We have received your Excellency's letter relative to the Cutter Revenge, and are taking measures to give you an immediate answer.[2]

We have the honour to be, Your Excellencys most obedient hble. servants, Richard Henry Lee, Chn.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:187.

[1] Although this letter is printed with a February 9 dateline, Richard Henry Lee apparently wrote it on March 9 in response to Joseph Reed's letter of that date to the Marine Committee requesting that Pennsylvania be allowed to purchase the *Revenge* as a privateer. See ibid., p. 235.

[2] For Congress' decision to sell the *Revenge* at public auction, see Marine Committee to Reed, March 12, 1779.

Thomas Nelson to George Washington

My Dear sir Philada. March 9th 1779

Shall I get the favor of you to deliver the inclos'd Letter to Mrs. Washington? I brought it with me from Virginia, and should have sent it sooner, but by mistake it has been for some time mislaid. Notwithstanding my utmost endeavours, it has not been in my power, to procure for you, such Horses as I would wish you to have.[1] Several have been offerd that I did not approve of, & others, that I would gladly have taken, could not be purchas'd. At Fredericksburg I heard of three; and my friends Fitzhugh & Spotswood undertook to get them for me. There are so many Horses, indeed almost all that would make any figure, as parade Horses, kept Stallions, and they will not answer for a Camp, that it is very difficult to meet with a fine gelding. If I cannot Succeed otherwise I will purchase them, and they must undergo transmutation. My Compts. to your good Lady and believe me when I assure you that I am with Your friend & hble Sert, Thos. Nelson Jun.

RC (DLC: Washington Papers).

[1] The Virginia House of Delegates had requested, in a resolution of November 23, 1778, that General Nelson purchase four geldings for Washington "as a small Testimony of the gratitude of this State for the many signal services he has rendered America." See Washington, *Writings* (Fitzpatrick), 13:422n.69, 14:246. Nelson's concern over his failure to find suitable geldings for Washington was perhaps tempered by the fact that he had learned the previous summer that the commander-in-chief had lost his "favorite horse" and had thereupon made Washington a present of a nine-year-old "of most excellent qualities." See Nelson to Washington, August 11, 1778, Washington Papers, DLC; and George Washington, *The Diaries of George Washington*, edited by Donald Jackson and Dorothy Twohig, 6 vols. (Charlottesville: University Press of Virginia, 1976–79), 4:234n.

William Paca to the Pennsylvania Council

Gentlemen, 9th March 1779.

We are exceedingly unhappy in finding that our Letter of the 4th instant excited Emotions of so singular a nature: be assured, we did not mean to wound your feelings in any Degree, much less to such an Extreme.

No Prooffs were wanting to convince us of your Disposition to observe a respectful Attention to Congress and every Member of it; and we consider your's of the 5th instant which we received on the 6th as a clear Confirmation of it.[1]

On the 15th of February General Arnold's Letter to Congress praying an Enquiry and Trial on the Charges contained in the printed Proceedings of Council were referred to us:[2] on the 18th we informed his Excellency the President of it, and solicited the Assistance of Council in the Execution of our Enquiry. It is now the 9th of March, and we have not yet been able to obtain any Assistance or Evidence from You.

You request us to peruse impartially and attentively your's of the 25th of February,[3] which, you say, contains Reasons for not furnishing us with the Evidence on the above Charges. We have complied with your Request, and find that Nothing escaped our first Consideration of it: we did not then, nor do we now, see the force of your Reasoning. You say "the Resolves of the Board were framed and transmitted to the Members of Congress as to other Persons of Rank & Consequence not as forming a Complaint against General Arnold." Be pleased to recollect, that your Resolves were accompanied with the Reasons, on which you founded them, each of which is a specific Charge against the General: these Resolves and Reasons or specific Charges were, by Order of Council, printed and published: and by Order of Council printed Copies were put into the Hands of the Delegates of Congress: in Consequence of which Measure of Council, & by means of General Arnold's Letter, Congress became possessed of Information, that the General stood charged in the printed Proceedings of Council with Misconduct in no less than Eight Instances. Under these Circumstances, altho' your Conduct, as we have already stated it, clearly demonstrates, that you did not mean to form a Complaint against the General, yet as there was no Disavowal on your Part, or Retraction, of the Charges contained in your Proceedings under the Description of Reasons, public Justice required that Congress should direct an Enquiry; and surely public Justice required that you should furnish the Evidence which you were possessed of.

You say, the Proceedings and Publication of Council in General Arnolds Case are not Charges, but Judgments to which you are fully competent. We do not comprehend the Legality of such Judgments. Common Justice requires, that a Trial & Conviction should precede every Judgment of Condemnation, and common Humanity reprobates all Convictions founded on Ex parte Evidence behind the Back of the party accused.

But as you say you are fully competent to the Judgments in General Arnold's Case, we cannot doubt their Legality.

If we have called upon you *authoritatively* for Evidence, we can only say, that our Letter of the 4th instant must be exprest in Terms very different from what we find in the original Draught of it. We were fully apprized of the Delicacy of your feelings, and perfectly knew what exalted Ideas, you had, of Rank, dignity and Power: whatever therefore may be the Expressions of our Letter, we could not possibly mean to address you in the Stile of Authority.

As to the Complaint about the Waggons, which was made by his Excellency the President to Congress in his Letter of the 25th of January, we finished our Enquiries on that Subject, made up our Report, and offered it to Congress, in less than ten Days after you gave us the Evidence. We made up this Report with all the Expedition, we possibly could, consistently with the Attention due to other publick Business. But before Congress could receive it, the Council of Pensylvania thought proper to make a fresh Exhibition of Charges against the General, in which was included the Complaint about the Waggons.[4] General Arnold immediately addressed Congress and prayed an Enquiry on those other Charges: we were therefore directed by Congress to take the same into Consideration, to make a general Enquiry and to report the Result of such Enquiry. There being now a general Reference of the whole Charges we conceived it improper to report partially, and therefore laid aside the Report on the Complaint about the Waggons with an Intent to include it in our general Report.

What Ideas you mean to hold out, by charging the Majority of our Committee & the Members individually with private Interviews and ex parte Examinations of General Arnold, it is difficult to say: we beg Leave however to deny your Charge in the most explicit Terms. Both of us cannot be right: as you make the Charge, the Onus probandi lies upon you. If you have any Evidence to prove, that your Charge is founded in Truth, considering how flatly we contradict it, you will certainly take the earliest Opportunity of vindicating the Honor & Reputation of Council by producing it.

You seem to have taken up an Idea, that we consider you as Parties & Complainants presenting before Congress the Charges contained in your printed Proceedings: we never considered you in that Light; we consider you merely as Accusers possessed of Evidence to prove a publick Offence. We know of no Parties or Complainants to Congress in the present Case but the Publick & General Arnold: for publick, not private, Justice, public, not private, Reparation, is the Object of all Prosecutions for Offences of a public Nature.

Our Conduct is by no Means opposed to what should be observed by Grand Inquests: for altho' we deny, that we took the Ex parte Examination in favour of the party accused, which with so much Decency you charge upon us, yet we say, it is the Right of the party accused to have an

Examination of his Witnesses by the Grand Inquest before whom he is charged.

Having observed in our last, that fourteen Days had elapsed, since our application to you for Evidence, You are pleased to reply "as to the fourteen Days you mentioned this Delay surely cannot be attributed to us, when you recollect how great a Part of that Time has been employed in hearing General Arnold & his Aids with other Evidence without Notice to this State as Parties & Complainants." We perfectly recollect the Reverse of what you alledge, and in express Terms declare, that no Part of that Time was employed in Hearing General Arnold & his Aids or in taking other Evidence. General Arnold was never heard on the Charges contained in your printed Proceedings, and referred to us on the 15th of February, till the 5th instant, which was the Day after our Letter, to which you have made your Reply, and of Consequence not within the fourteen Days you mention. The Committee tired out with fruitless Applications to you for Evidence and repeatedly prest by General Arnold for a Hearing, with all the Anxiety & Sensibility of a Soldier, injured in his Honor & Reputation, we resolved on the 3d instant to close our Enquiries on the 5th: both you & the General were notified of it, and you were told, that we did not doubt but your Regard for public Justice would induce you to furnish us by that Time with the Evidence you were possessed of.

We wish for your own Sakes you had spared your solemn Protestation: it is no Prooff of Dignity of Conduct. Vehement Delcarations and violent Protestations are sometimes the Result of Passions roused in the telling of Truths—or the Apprehension of it. We shall certainly make no Report derogatory to the Rights and Interests of Pensylvania: such a Report would only disgrace ourselves. As to the Honor of Council we shall report the Truth: and therefore, if you yourselves have done Nothing derogatory to the Honor of Council, you have nothing to fear from our Report.[5]

I have the Honor to be, Gentlemen, Your most Obedient, humble Servant, Wm. Paca, Chairman.

RC (NHi: Joseph Reed Papers).

[1] The council's March 5 letter is not in PCC, but a draft of it is in the Joseph Reed Papers, NHi.

[2] *JCC*, 13:184.

[3] Not found.

[4] See Paca to Joseph Reed, March 3, 1779, note.

[5] Although Paca's committee submitted a report on its dealings with Pennsylvania on March 17, congressional action on that report was still pending when a request was received from the state for a conference with a congressional committee to discuss the crisis that had been reached in its relations with Congress. See *JCC*, 13:324–26, 337, 374–79. For the delegate's reception of that request and the subsequent resolution of the impasse that had developed, see Henry Laurens' Notes of Debate, March 26, 1779.

Rhode Island Delegates to William Greene

Sir, Philadelphia March 9th. 1779.

In our last letter we promised your excellency a copy of the act of Congress recommending to the States to the Southward to permit the States of Massa. Bay and Rhode-Island & Providence Plantations to purchase Proviss. in their posts for the supply of their inhabitants. A copy we are informed hath been sent to you by the President.[1] We at the same time promised you a copy of the act reducing our quota of the tax for the current year to two hundred and fifty thousand dollars, which we now do ourselves the honour to inclose, hoping that it will prove agreeable to the Assembly.[2] It was not intended by Congress that the apportionments of the former or present tax should be considered hereafter as their precise just quotas of those taxes. It was impossible to adjust our *equitable* proportion of the present tax. If it should turn out that we have paid more than our just quota, we shall have credit for the surplusage and the interest thereof; if it should be less we must pay the deficiency with the interest, perhaps in an appretiated currency. We know that there will be difficulty in collecting so large a Sum as two hundred and fifty thousand dollars in our state, under its present deplorable circumstances; but, distressed as it is, we presume that the difficulty will principally arise from the impracticability of apportioning the tax equally among the inhabitants. However we hope that the State will struggle through it.

In a private letter to Mr. Ellery from the Lieut. Governor[3] he is informed that the Authority of our State complain that we do not send them intelligence enough. We could wish to gratify the Assembly in that or any other way; but really we have none to communicate. We mentioned in our last, we believe, that there was no prospect that the British army would receive any reinforcements, this campaign. This is our opinion, and we think it is well-founded. We have not received any Intelligence from Georgia since the first account of the enemy's taking possession of it. Nothing from the W. Indies; nor any thing from Europe that we are at liberty to communicate.

The necessity of a respectable Army in the field this campaign, whether peace or war should be the object, is so apparent as to need no arguments either to evince or illustrate it. A brilliant stroke this might make it the last campaign. Sincerely wishing for an honorable peace, and every blessing to our country and your excellency we are with great respect, Yr. excellencys most obedient, humble Servts, William Ellery

RC (R-Ar: Letters to Governors). Written and signed by William Ellery.

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[1] See John Jay to the Massachusetts Council, February 27, 1779, note.

[2] See John Jay to William Greene, March 5, 1779.

[3] That is, Jabez Bowen.

Meriwether Smith to the Public

Sir, Philadelphia, March 9, 1779.

The duty I owe to my country, and the respect I have for the gentleman who is published in the Royal Gazette of New York, as the author of three letters taken in the schooner Willis, Capt. Chamberlaine, and carried into New York, induce me to request that you will give those letters a place in your paper:[1] For, if there is a man amongst us who, having professed himself a friend to the Independency of America, hath enjoyed a share of the confidence of his country, and, being instrumental to the calamities which we suffer, would prolong the war by avowing sentiments favorable to the views of Britain, and on which alone her hope of recovering America now rests; he should stand forth, black with hellish guilt, a monument of baseness. If, on the other hand, the letters alluded to are not genuine, the shafts of envy and detraction should not be permitted secretly to wound the reputation of an innocent man; and an opportunity should be given him to defend a character thus attacked, and to remove those suspicions against him, which, at present, are considered as being well founded.[2]

To deceive and alarm the people of America by a misrepresentation of facts, to encrease and confirm in their minds those prejudices against our friends and allies, which had arisen from education and a long connexion with Britain, is not the part of a friend; nor ought they to be trusted who, longing after the flesh pots of Egypt, show a disposition injurious to the honor and interest of these United States, inasmuch as it is unfavorable towards a nation, to whose generous exertions we are indebted for those advantages we have gained over our enemies.

When America first resisted the power of Britain, she had neither friends abroad nor the means of defending herself at home. When the Declaration of Independency issued forth, she was like a ship on the ocean, destitute of sails and rudder, whose safety depended on the expedients of her navigators—the offspring of necessity. Then it was that we courted the favor and assistance of France; and, with acknowledgments bordering upon folly, received the supplies of her meanest adventurers. Sensible of the weakness of our state, we thought nothing was so essential to our safety and happiness, as the countenance and protection of that nation. But she hath no sooner stretched our her hand to save us, than we have begun to give her proofs of our perfidious disposition.

The account which Governor Johnstone hath given of the situation of our affairs, is not entirely without foundation.[3] There is too much reason to conclude, from a variety of circumstances, that he hath sufficient grounds for his assertions; and it behoves every true friend to the liberty and interest of America, at this critical period, to examine narrowly into the conduct of those in whom even the greatest confidence is placed. Men who were enemies to the cause of Independency in the beginning of the contest, openly opposed the measures that were taken in support of it, until restrained by laws that rendered their safety precarious; and, although it frequently happens that such men will change their professions, and go with the tide of popularity it seldom happens that they forsake their opinions. Ye shall know them by their fruits. On the other hand, patriotism is a virtue which few men possess, and a real patriot, of distinguished abilities to serve his country, is a jewel of inestimable value. But the views of patriots, in the common acceptation of the word, are, like those of priests, directed towards themselves; and they generally make the same use of that implicit confidence which is reposed in them by the people.

I rejoice that America resisted; not because I disliked her rulers, but that the liberty and happiness of her people might be established on a solid basis. It is not likely, therefore, that I shall change the object of my first pursuit, to accommodate those whose friendship I esteem, or to promote their aggrandizement. I own, I reject that system of philosophy which makes all mens actions modifications of self-love, as a pernicious theory subversive of morality; whilst I esteem the man whose self-love is so directed as to be subservient to the public good. But ambition and the love of money are always dangerous, and very often prove ruinous, to those who are under their influence. They frequently oblige men to assume the despicable character of a *trimmer;* and, whilst they imagine that they walk in the paths of consummate wisdom, and deceive the world, they seldom fail to deceive themselves. He is a bad politician who is yet to learn the true interest of these United States, in their relation to Europe; and he is a weak one, indeed, who cannot determine whether the measures at present pursued, are calculated to promote it.

MS not found; reprinted from the *Pennsylvania Packet; or the General Advertiser*, March 18, 1779.

[1] These intercepted letters, printed by James Rivington in the *Royal Gazette* on February 3, 1779, were written by Carter Braxton, a former delegate to Congress from Virginia, to mercantile associates in France and Holland.

[2] Braxton's letters contained a number of passages that Smith believed would discredit him. In a communication of December 26, 1778, to John Ross in Nantes, Braxton wrote disparagingly of "designing" French ministers who had deceived the United States by altering provisions of the treaty to France's advantage. He also castigated Arthur, Richard Henry, and William Lee for their roles in the "trial" of Silas Deane in Congress. Concerning the charges that Deane had made in his December 5 address in the *Pennsylvania Packet*, Braxton stated that "I am exceeding well acquainted with the character of the Lee's, and know them to be actuated by such base principles, and full of such artifice, and intrigue, that no new proof was necessary to fix my opinion. . . . I had long seen the impropriety of entrusting the secrets of America with men of such characters, but it was not to be prevented. R. H. Lee's interest in Congress, joined to that of the eastern states, was too great to be withstood." Further, in a letter of the following day to the firm of George, Clifford & Tysett in Holland, Braxton wrote that "with respect to our future trade in case of peace, there is not a doubt but your nation and Great-Britain would partake of three-fourths of it: For although we are reluctantly, and I fear imprudently tied to France, during the war, yet that being over, the people will break through every restraint or punctilio, to return to England for the goods they formerly purchased, after which they long and pine every day of the year." In a third letter of January 12, 1779, to Campbell, Beale & Co., Braxton outlined a plan to

resume shipment of British goods to America during wartime by way of the British West Indies and then the Dutch islands.

By requesting that Braxton's letters be reprinted in the *Pennsylvania Packet*, Meriwether Smith apparently hoped to embarrass both Braxton and the Lees. It is apparent that Smith regarded Braxton as a "trimmer," and he would soon be instrumental in the movement to recall Arthur Lee from Paris. See Henry Laurens' Notes of Debates, May 6, 1779. That there was a growing animosity between Smith and the Lees is evident also from a letter of August 1, 1779, from Richard Henry Lee to Henry Laurens in which Lee said "I think with infinite contempt and a good degree of detestation of my *Compatriot* M. S. If he produces papers that can in any matter affect my character, I affirm they are forgeries, and thus I have done with him." See Lee, *Letters* (Ballagh), 2:99–100.

For his part, Braxton attempted to minimize damage to his reputation with an explanation to the public dated March 15, 1779, which appeared in the *Virginia Gazette* (Purdie, March 20?, 1779; no copy known to exist) and was reprinted on April 8, 1779, in the *Pennsylvania Packet*. Braxton included transcripts from his letterbooks of the three captured letters that had appeared in the *Royal Gazette*, which he claimed he had not yet seen, but chose to omit the paragraph quoted above from his letters to George, Clifford & Tysett concerning the future resumption of trade with Great Britain. He was at great pains, through published testimonials from his clerk, George Seaton, and officials in Williamsburg, to demonstrate that his letterbooks contained numerous expressions in favor of "the independence of America." It is clear, however, that Braxton's opinions about the conditions necessary for independence, which had been poorly received by his constituents, had changed little since he lost his seat in Congress in 1776. See these *Letters*, 3:520–23; 4:18–21, 228, 8:183, 202–3; and Jefferson, *Papers* (Boyd), 1:475. For comments on the effect in Virginia of the publication of Braxton's letters, see Edmund Pendleton, *The Letters and Papers of Edmund Pendleton, 1734–1803*, ed. by David J. Mays, 2 vols. (Charlottesville: University of Virginia Press, 1967), 1:278–80; and the letters of March 12, 16, 21, 30, and April 8 from Richard Parker, Mann Page, and William Aylett to Richard Henry Lee in the Lee Family Papers microfilm, ViU.

Finally, although Braxton explained in the *Virginia Gazette* that in his acrimonious observations about the French treaty, "no reflection was intended on the French Ministers, or Mons. Gerard," he refused to apologize for his attack on the characters of the Lees. This occasioned a public exchange between Arthur Lee and Braxton in the *Virginia Gazette* (Dixon & Nicolson). See the issues of October 9, 1779 (reprinted in the *Pennsylvania Packet*, October 28, 1779), and October 23, 1779. For further evidence of the deteriorating relationship between Braxton and the Lees, see Lee, *Letters* (Ballagh), 2:64, 68, 71, 102, 122, 150; and William Lee, *Letters of William Lee*, ed. Worthington C. Ford, 3 vols. (Brooklyn, N.Y.: Historical Printing Club, 1891), 2:536n, 596, 634, 651; and 3:734. Braxton's conservative political stance and ambitious mercantile pursuits are described in L. Tomlin Stevens, "Carter Braxton: Signer of the Declaration of Independence" (Ph.D. diss., Ohio State University, 1969); and Alonzo T. Dill, *Carter Braxton, Virginia Signer: A Conservative in Revolt* (Lanham, Md.: University Press of America, 1983).

[3] See Gouverneur Morris to George Johnstone, March 4, 1779, note 1.

John Fell's Diary

Wednesday the 10th [March 1779]

Commercial Committee. Congress. After the Treasury Reports, being Read Went in to a Committee of the whole House, on fixing a Boundary Line to the Missasipy 7 for 5 agst. No.

MS (DLC).

Samuel Holten's Diary

[March 10, 1779]

10. Wednesday. I dined with Genl. Lee, Mr. Adams, Mr. Gerry, Genl Whipple & Colo. Lee, dined with the General. N.B. The diner & the œconomy of his house was as odd as the Genl is.

MS (MDaAr).

Marine Committee to Jackson, Tracey & Tracey

Gentlemen[1] March 10th, 1779

This Committee have very important public reasons for developing with great certainty and exactness, the origin, progress and designs of Captain Conyngham and the Cutter he commanded called the Revenge. By Captain Conyngham's narrative it appears to the Committee that many Prizes taken by him have been addressed to your House, in consequence of which the Committee request of you Gentlemen that you will Send them by the next post after you receive this an account of what Prizes have arrived to your address from Captain Conyngham, and for what and how they have been disposed—And also a Copy of All the Instructions you may have received from any person whatever concerning such Prizes. The honorable mention that has been made of you Gentlemen to the Committee, induces me to beleive that you will excuse the trouble that may arise from furnishing the particular account above desired, as the public service demands it.

I have the honor to be Gentlemen, Your very hble servant,

Richard H. Lee Chairman

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Jackson, Tracey & Tracey, a shipping firm in Newburyport, Mass., owned privateers which during the American Revolution captured ships and cargoes whose value exceeded $6,000,000. The firm's partners, Jonathan Jackson (1743-1810), John Tracey (1753-1815), and Nathaniel Tracey (1751-96), were the principal owners of 47 privateers and 87 other merchant ships. Thomas A. Lee, "The Tracey Family of Newburyport," *Essex Institute Historical Society Collections*, 57 (January 1921): 57-74.

Committee on Appeals Decree

March 11th, 1779.

David Stevens &c. App[ellan]ts } Appeal from the State
vs. John Henderson &c. App[ell]ees } of New Jersey[1]

We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the Matters and Things contained and set forth in the Record or Minutes of the Court aforesaid in the above Cause as the Arguments of the Advocates of the respective parties in the above Appeal do thereupon adjudge and decree that the Appeal of David Stevens entered in the above Cause be dismissed with Costs And that the Judgment or Sentence of the Court of Admiralty aforesaid pronounced and published in the said Cause be in all it's Parts confirmed and established And We do adjudge and order that David Stevens the Appellant pay unto John Henderson and others the Appellees in the above Cause two hundred and eighty Dollars expended in supporting and sustaining the Sentence of the Court of Admiralty aforesaid against the said Appeal &c.

Wm Hy. Drayton

William Ellery

J Root

MS (DNA: RG 267, case no. 35). In a clerical hand and signed by Drayton, Ellery, and Root.

[1] The appeal from the New Jersey Admiralty Court in the case of *David Stevens et al. v. John Henderson et al.* had been received by Congress on October 23, 1778, and referred immediately to the Committee on Appeals. Because of its similarity in facts and circumstances to the better known case of the sloop *Active*, this case was delayed while Congress determined the extent of the committee's authority in prize cases, a delay which prompted Henderson to petition Congress at least three times in 1779 for a speedy review of the case. When Congress reached a decision on the committee's authority early in March, the committee resumed its review of the case on March 9. In reference to this decision and the controversy surrounding the case of the *Active*, William Henry Drayton added the following explanatory declaration to the present case file. "The Court declared that Congress having determined that their jurisdiction on appeal extended to a controul as well over the verdicts of Juries as over the Decrees of Judges in Courts established for the decision of captures on the high Seas, & thereupon having no doubt that their authority could be effectually supported, we're now ready to proceed in the dispatch of causes." And to Drayton's declaration, Jesse Root appended the following endorsement: "The President having made the within Declaration, proceeded to the hearing of the Appeal from New Jersey."

The New Jersey Court of Admiralty had upheld the claim of Henderson and his associates to the British schooner *John and Sally*, "lately commanded by Rufus Gardner," and its cargo of Jamaica spirits and Muscavado sugar, which they claimed by virtue of having overpowered Gardner while they were serving on board the schooner. But before they could reach New Jersey with their prize, they had themselves been captured by Capt. David Stevens, commander of the privateer sloop *Chance*. Although the schooner was libeled by Stevens, the New Jersey Court, in a case heard at Trenton on August 27, 1778, awarded the ship and its cargo to Henderson. Stevens thereupon appealed the case to Congress. In denying Stevens' appeal, the Committee on Appeals was upholding the state court's finding in behalf of Henderson et al. See *JCC*, 13:44, 96, 251; PCC, item 42, 3:375–78, item 196, 2:102; and *N. J. Archives*, 2d ser. 2:356–57, 396. See also Committee on Appeals Decree, December 15, 1778, note.

John Fell's Diary

Thursday March 11th [1779]

Commercial Committee. Congress. Went in a Committee of the whole House, That if Our Allies would Support us, we should Insist on Novia

Scotia being declar'd Independant, Long debate, No carried in the affirmative.[1]

6 P M Marine Committee, Dined wth Mr Jay. NB. Coll Frelinghuysen Came to Congress.

MS (DLC).

[1] Although Fell's entry is ambiguous, the fact that the committee report did not insist on independence for Nova Scotia as a sine qua non of peace would indicate that Congress voted in committee of the whole not to insist on independence for Nova Scotia. Cf. *JCC*, 13:348–49.

Thomas Burke to Joseph Reed

Sir Philadelphia March 12th 1779

The Congress have appointed A Committee to Confer with your Excellency on the Subject matter of your letter of 9th Instant to the Board of War, and the report of that board thereon.[1] I request you Sir to inform me when and where it will be convenient to you to hold the Conference, in order that I may give Notice thereof to the other members of the Committee.

I have the honor to be, with great Esteem and regard your Excellency's Obedt Servt.

Tho Burke[2]

RC (NN: Emmet Collection).

[1] Burke, John Armstrong, and Gouverneur Morris had been appointed on March 11 to a committee to take under consideration a March 10 letter from the Board of War enclosing one of the ninth from President Reed of Pennsylvania. *JCC*, 13:303. These letters are not in PCC or the Pennsylvania Archives, and the journals of Congress contain no reference to any committee report on them. It seems probable, however, that these letters were the outgrowth of a previous exchange between Reed and the Board of War of March 8 and 9 concerning at least five separate issues raised by the Pennsylvania Council, for which see *Pa. Archives*, 1st ser. 7:230–33. None of these included the cases of the sloop *Active* or Gen. Benedict Arnold, the two principal issues then troubling Pennsylvania authorities.

[2] This day Burke also wrote the following letter to Pennsylvania Council Secretary Timothy Matlack to clarify a misunderstanding generated by his letter to Reed.

"My letter was addressed to the President with whom, and not with Council the Committee are to Confer. The Conference is ordered to be on A letter from him to the Board of War, and a report by that Board thereon. Congress have not understood his letter as an act of Council, and I think it expressly declares the Contrary. You do not Sir inform me whether the President received my letter, and I am Still unable to decide when it will be Convenient and agreeable to him to meet the Committee. I request you Sir to take measures for explaining the mistake to the Gentlemen of the honorable Council, with whom we have no powers or Instructions to Confer. I shall wait the answer of his Excellency which I Suppose he will Send me with Convenient Expedition." Gratz Collection, PHi.

Committee of Commerce to Jean Holker

Sir Commercial Committee 12 March 1779.

The Commercial Commitee of Congress have the most pressing occasion for a Sum of Six to ten thousand pounds Sterlg in bills of Exchange on France for the purpose of procuring certain articles for the imediate use of the Armies of the United States. We shoud be very happy if thro your means we coud be supplied with these bills, for which we will pay you imediately at the current Exchange or if more agreable they may be applied towards the payment of such Articles as may have been supplied by order of the Marine Committee of Congress to the Fleets of his most Christian Majesty. As this is a matter of the greatest consequence we wish your friendly exertions & are Sir, yr. most Obed. Servts.

Fra. Lewis

James Searle

John Fell

RC (DLC: Holker Papers). Written by Lewis, and signed by Lewis, Fell, and Searle.

John Fell's Diary

[March 12-13, 1779]

Fryday March 12th. 1779. Commercial Committee. Congress. Letters from Major Genl Lincoln, with Proposals of Exchange of Prisoners, between his Officer and Lieut Coll Prevost, Referrd to a Committee of 3.[1] Report of the Committee on the Business of setling the Payment of Goods taken from several Persons in Phila. agreed to Pay them, at the then Current Price when taken. Long Debate. 6 P M Marine Committee.

Saturday March 13th. 1779. Spent this day at the Commercial Committee.

MS (DLC).

[1] For Congress' response to these letters from Gen. Benjamin Lincoln, see Committee of Congress to Washington, March 15, 1779.

Samuel Holten's Diary

[March 12-13, 1779]

12. Friday. Congress received a letter from Majr. Genl. Lincoln, giving an Account of a battle with some part of his army, which terminated in our favor.[1]

13. Saturday. I dined with the honl. Mr. Paca & about a doz members of Congress. The dinr. was grand & elegant.

MS (MDaAr).

[1] Gen. Benjamin Lincoln's February 6 letter reported the American repulse of a British attack on Port Royall Island, and enclosed a copy of Gen. William Moultrie's report on it. The same day Congress also read Lincoln's letters of January 23 and February 12, 1779. *JCC*, 13:307. Lincoln's letters are in PCC, item 158, 2:197-202, 231-33.

John Jay to the States

Sir, Philadelphia 12th March 1779.

You will receive herewith enclosed a copy of an Act of Congress of the 10th Inst for recruiting the Army.[1]

The Virtue & Perseverance displayed by the Citizens of America in the course of the War leave no room to doubt of their determination to obtain the great Objects of it. Force and Power in the field are necessary to render us safe at Home, respectable abroad, & successful in Negotiation.

As there is great reason to expect that this Campaign, if successful, will be the last, I am persuaded the different States will the more chearfully adopt every measure which may be necessary to render the Issue of it honorable to the American Arms, & auspicious to American Liberty & Independence.

I have the Honor to be with great Respect, your Excellency's Most Obed. Servant.

LB (DNA: PCC, item 14). Addressed: "Circular."

[1] The enclosure was actually a resolve of March 9. *JCC*, 13:298–99. For Washington's discussion of the recruiting crisis confronting the army at this time, which he wrote before he had seen the enclosed "act" authorizing him to pay a bounty to recruits "not to exceed 200 dollars," see his March 15 letter to Jay, Washington, *Writings* (Fitzpatrick), 14:241–45.

John Jay to George Washington

Sir, Philadelphia 12th March 1779.

I have the pleasure of acknowledging the Receipt of your Excellency's Favor enclosing an Extract of a Letter from Major General Putnam.[1]

Herewith enclosed is a copy of an Act of Congress of the 5th Inst for the Payment of certificates given to Inhabitants from whom Supplies have been irregularly obtained—Another of the 9th for recruiting the Army, & a third of the 10th Inst for accepting Coll. Wigglesworth's Resignation together with a Letter which arrived this morning from South Carolina.[2]

I have the Honor to be, with the greatest Respect, And Esteem, your Excellency's Most Obedient Servant.[3]

LB (DNA: PCC, item 14).

[1] For Washington's March 8 letter to Jay, and an extract of Israel Putnam's March 2 letter to Washington describing an attempted incursion by the British at Kingsbridge against Horse Neck, see Washington, *Writings* (Fitzpatrick), 14:210; and PCC, item 152, 7:163–71.

[2] For these resolves, see *JCC*, 13:275–79, 298–99, 302. The letter "from South Carolina" has not been identified, but it may have been one from Gen. William Moultrie that was referred this day to the Committee of Intelligence. *JCC*, 13:307. The other letters received from South Carolina this day were from Gen. Benjamin Lincoln and were subsequently sent to Washington by the committee to which they were referred. See Committee of Congress to Washington, March 15, 1779, note.

[3] This day Jay also sent the following brief letter to Col. Lambert Cadwalader, who was still a prisoner on parole, enclosing a resolve providing relief for his Third Pennsylvania Regiment, which had been captured at Fort Washington in November 1776. "I have the pleasure of transmitting you herewith enclosed a Copy of an Act of Congress of the 9th Inst. exempting the 3rd Pennsylvania Regiment from certain stoppages mentioned in it." See PCC, item 14, 1:66; *JCC*,13:294; and John B. B. Trussell, Jr., *The Pennsylvania Line: Regimental Organization and Operations, 1776-1783* (Harrisburg: Pennsylvania Historical and Museum Commission, 1977), pp. 63, 65, 68-70.

Marine Committee to the Eastern Navy Board

Gentlemen March 12th 1779

We wrote you the 28th ultimo and enclosed Captain Ephram Bills receipt for five hundred Thousand Dollars for the use of your Board—we are since favoured with yours of the 22d Feby.[1]

Your reasons for charging an advance of 100 Per Cent on the Slops purchased in france are satisfactory and in future we desire that it may be a fixed principle in similar Cases. We have a proper sense of the disadvantages which Captain Saltonstal hath laboured under, as well as of his worth & Merit, and shall consider his case very Shortly.

We have not yet heard of the arrival of the Schooner General Arnold at Senepuxent—we approve of your purchasing another Schooner to proceed to Baltimore.[2] We shall deliberate on the propriety of ordering a Brig to be built similar to the Hazard on Mr. Pecks plan and shall hereafter inform you of our determination. We have been applied to by Mr. Holker Agent for the Marine of France respecting the Commission of 5 Per Cent which you charged on the amount of Supplies furnished the French Fleet, and are of opinion that a Commission of 2½ Per Cent would be an adequate compensation for doing that business.

We observe that the Packet lately built is ready for the Sea and shall soon give Orders respecting her.

We are Gentlemen, Your Humble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The Eastern Navy Board's February 22 letter reporting on ship deployment, accounts of remittances, accounts of slops, the acquittal of Capt. Elisha Hinman, and the appointment of Hoysted Hacker to command the *Providence* is in the Eastern Navy Board Letterbook, NN.

[2] See the Marine Committee to William Smith, this date.

Marine Committee to
Paul Loyall and James Maxwell

Gentlemen March 12th 1779

We have received your letter of the 10th of February and are now to inform you that we have ordered Colonel William Aylett Deputy Commissary of Purchases in your State, to furnish Such Supplies of Provisions, Rum &c as you may from time to time require for the use of the Ship yard at Gosport.[1] We would have you be as Œconomical in your expenditures of every kind as possible at the Same time to go on with Spirit in building the frigate which we have already given you orders to finish, and we shall from time to time Supply you with sufficient Sums of money to compleat that work.

We have determined to allow all our Agents for building Continental Ships of war A Commission of five Per Cent on all monies paid by them for building or fitting the Ships which we doubt not will be considered A Sufficient compensation for doing the business. We desire to hear from you frequently and to be informed minutely of your proceedings and are Gentlemen, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The Marine Committee wrote the following brief note to Col. William Aylett this day: "We request you will from Time, to Time furnish Messrs. Maxwell & Loyall Agents for building the Continental Frigates now on the stocks at Gosport in Virginia, with Such Supplies of Provisions, Rum &c as they may require for the use of the Ship yard at that place." PCC Miscellaneous Papers, Marine Committee Letter Book.

Marine Committee to Joseph Reed

Sir, State House, March 12, 1779.

I have the honor to inform your Excellency that upon a full consideration of the complicated affairs of the Cutter Revenge, it has been thought proper, and so it is determined by Congress, that the Vessel, with her guns, apparel, &c., shall be sold at public auction.[1] And the Marine Committee has directed that the sale shall be made at the Coffee House, next Wednesday evening.

I have the honor to be, with much esteem and respect, your Excellencies most obt, & very hume servt,

Richard Henry Lee, Chairman M. C.

Reprinted from *Pa. Archives*, 1st ser. 7:241.

[1] See *JCC*, 13:307. For further information on the sale of the *Revenge*, see Committee for Foreign Affairs to William Bingham, January 29, note 2; and Marine Committee to Reed, March 9, 1779. Apparently some articles on board the vessel were not to be auctioned off, for on March 17 the Marine Committee ordered Capt. Gustavus Conyngham to "deliver to the Board of War the Piglead now on board the Cutter Revenge." *Letters and Papers Relating to the Cruises of Gustavus Conyngham*, ed. Robert W. Neeser, Publications of the Naval History Society, 6 (1915): 157.

Marine Committee to William Smith

Sir March 12th. 1779

Your letter of the 27th Ultimo did not come to hand till yesterday, we are now to inform you that we are advised by a Letter of the 22d Ultimo from the Navy Board at Boston of their having despatched a Schooner called the General Arnold for Senepuxent to carry off the flour & Iron remaining at that place.[1] We request therefore that you will on receipt of this immediately give Orders (should that Vessel have Arrived) that the flour and Iron be shipped on board of her and that she be despatched back to Boston. But if she has not arrived we may conclude she has been taken and in that case you will order the flour & Iron to be sold to the inhabitants. Some time ago we ordered the Navy Board at Boston to Send round to your address three small Vessels to be laded with flour & Iron for the use of the Navy in the Eastern Department. We now suppose that some of those Vessels will Shortly make their appearence, therefore we have this day ordered the Commissary of Purchases to deliver to you at Baltimore from the Public Magazines any quantity of flour you may require for lading these Vessels not exceeding 1200 Barrels which quantity we deem will be Sufficient. If hereafter it should prove otherwise you will please to advise us and we will give the Commissary fresh Orders.

We have also given Orders to the Quarter Master to direct his Deputy at your place to deliver to you ten Tons barr Iron which he had been formerly Ordered by Congress to purchase for a particular purpose, but it has not been applied to that purpose. This Iron you will please to receive and Ship on board the Vessels with the flour and as soon as they are laded you will please to despatch them for Boston addressed to the Navy Board there to whom you will please to forward bills of lading and Invoices of the Cargoes with your Accounts of any disbursments you may make for the Vessels.

We shall chearfully allow you an adequate compensation for your trouble in doing this business & are Sir, Your very hble Servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] See Marine Committee to the Eastern Navy Board, this date.

Francis Lewis to George Clinton

Phila. 13th March 1779.

Dear Sir, I was this day favored with your letter of the 6th Instant by Mr. Sands. You do me honor in requesting a continuance of my correspondence, which I shall with the greatest pleasure Cultivate.

By this conveyance I transmit you the latest public newspapers which contains everything of consequence, except one favorable account, which I am not as yet at liberty to devulge, when that restraint is recinded by Congress, you shall have the earliest intillegence, from him who has the honor to subscribe himself with the utmost Regard & Esteem, Your Excellency's most Obedient Humble Servant, Fra' Lewis.

Reprinted from Clinton, *Papers* (Hastings), 4:658.

John Jay to Robert R. Livingston

Dear Robt. Philadelphia 14 March 1779

Mr. Sands delivered me your Favr. of the 4th Inst. Yesterday.[1] It gave me much Pleasure. The Length, the Subjects and the Spirit of it pleased me. Dont apologize for Egotisms, for I would much rather receive them than not. Unless the Pain my last occasioned was severe, I dont regret it. That You have deserved well of your Country is agreed, and that you became latterly a little relaxed, is not disputable. You have never been thrown out or distanced in the Pursuit of Virtue, but like some game Horses, you sometimes want a Whip. This is a coarse Simile. Friendship will pardon it.

That full Confidence which enduced You to think loud, flatters me. The like Return is due and shall be paid, but Letters in our Days are dangerous Conveyances of our Sentiments on many Subjects. I seldom write without adverting to the Consequences of a Miscarriage, and hence the Reserve & Caution which mark all such of mine, as are trusted to common Carriers or doubtful Bearers.

The State of your Politics is much as I expected. I fear some of your Measures are more severe than Wisdom or Humanity will justify. Posterity will think dispassionately & probably condemn, especially when informed, that they were hast'ned, lest the Influence of Resentment should be lost.

My Silence on a certain Subject arose from reflecting that an Explanation ought not to be on Paper.[2] The Probability of it turns on an Event not yet determined. If I discern right, there will be Room.

A Genteel Suit of Cloaths, will cost a noble price. We shall be exceedingly happy to see you. I hope your Visit will not be delayed longer than the Roads may render it necessary. Manage matters so as to stay at least a Month. My best Respects to your Mama, Mrs. Livingston & the Rest of the Family.[3]

I am Dr. Robt, Your Friend & Servt, John Jay.

RC (NHi: Livingston Papers).

[1] Livingston's March 4 letter is in Jay, *Papers* (Morris), pp. 570-71.

[2] For this "Subject," which concerned Livingston's willingness to accept a diplomatic assignment if Congress wished to consider him for an appointment abroad, see Jay to Livingston, January 13, 1779, note 1.

[3] Livingston's April 21 response to Jay is in Jay, *Papers* (Morris), pp. 583-84.

Gouverneur Morris to George Washington

Dr General, Phila. 14th March 1779.

You will excuse in me the Liberty I have taken in requesting Colo. Morgan to call on you. That Gentleman can give you much and important Information relative to the State of our Western Frontiers. From the first View of the Commander in that Department at York Town he struck me as one of those who excell in the Regularity of Still Life from the Possession of an indolent Uniformity of Soul. The little Eagerness he shewed to go thence when every Thing almost depended on Vivacity gave no good Omen of his Success. I observed in Silence & untill this Moment no one hath known any Reflections I then made and perhaps I am even at this Moment much very much deceived. When I heard of some Proceedings in the Department I ventured to say aloud that no Good would follow from the Exertions of the Army under his Command. Unfortunately I have not been mistaken. I have Reason to beleive that his Recall hath become necessary from a Variety of Causes.[1] For a Successor I think you will be puzzled. Good Sense, Genius, Activity and a Habit of Business. These are Qualities which appear to me better adapted to this Office than all the military Science in all the military Books put together. Excuse one more Observation. It is that the Reason why a good Partizan Officer is so rare a Thing among regular Soldiers may be deduced from this that in order to become such, a Man must unlearn all that he has learnt or the greater Part of it which few have good Sense enough to do. One good Mohawk would on such Occasion do more with one hundred Men than Prince Ferdinand with a thousand or Braddock with ten thousand. I must here again beg your Pardon for intermeddling with Things out of my Line and beyond my Reach. But you will I am sure excuse me for thinking loud to you upon a Subject which presses itself upon my Sensibilities, especially when I assure you what I beleive you Well know that such Liberties with you arise from personal Confidence & Esteem. I believe it is unnecessary for me to say that Colo. Morgan is a Man of Honor and Truth as he is of your Acquaintance but as you may not know him so well as to know how much he may be relied on permit me to assure you that I have the highest Reason to beleive that you cannot derive Information from a more certain Source or thro a surer Channel.[1] Adieu. My Respects to Mrs. Washington who I am told has no Great Opinion of me as a Christian Priest and yet I am sure we are of the same Religion expressed in the one Word Benevolence.

Yours, Gouv. Morris

RC (DLC: Washington Papers).

[1] Gen. Lachlan McIntosh's resignation as commander of Ft. Pitt had been accepted by Congress on February 20, but Gouverneur Morris clearly hoped to influence General Washington's decision on a court-martial for McIntosh by supporting the accusations of McIntosh's subordinate, Col. George Morgan.

Washington refused to order a formal inquiry into either McIntosh's or Morgan's actions, and on May 18 Congress supported his decision. Congress then approved McIntosh's request to serve with the southern army. McIntosh left for Georgia in the summer of 1779; Morgan resigned as Indian agent for the middle department on May 28, 1779. See *JCC*, 13:213–14, 14:606, 669; Washington, *Writings* (Fitzpatrick), 14:193–96, 262, 15:40–41, 76–77; and John Jay to Washington, May 19, 1779.

Committee of Congress to George Washington

Philadelphia March 15th. 1779

Sir

The inclosed papers are referred to us by Congress, and we wish for the assistance of your Ideas to enable us to make a more perfect report. We request you therefore to take the trouble of committing to paper your Opinion on the proposed terms for the exchange of Prisoners in the Southern department, and also any thing which you think will conduce to that End without Contravening your general Arrangements or general policy and utility.[1]

We deem it inconvenient, in an inadmissable degree, to permit an exchange of mere Citizens. The facility with which our Enemy can make Prisoners of our Citizens, the difficulty of our making adequate reprisals, and many other circumstances incline us to this Opinion. It seems even better to Suffer the captivity of Such as unfortunately fall into their hands, for tho' this is a calamity which greatly affects our Sensibility, yet it is far Short of what we Apprehend from admitting Such exchange. We think it must Necessarily prove an incentive to the making a greater Number of Prisoners of that Order, and that the Efforts for making them would be attended with an increase of ravage and horror which we are not in a Condition to prevent or Chastise. We shall also be very glad to be informed by You whether any reinforcements of regular Troops can be spared to the Southern department and if in your Opinion any be Necessary. At the Same time we Suggest that North Carolina is making very Considerable Exertions for raising a reinforcement of Militia, both Cavalry and Infantry. We think you Concur with us in Opinion that Militia forces ought to be employd only in Cases where they cannot be dispensed with.

We are Sir, With the greatest respect and Esteem, Your Obedt Servants,

Tho Burke

Henry Laurens.

RC (DLC: Washington Papers). Written by Burke and signed by Burke and Laurens.

[1] On March 12 Congress received three letters from Gen. Benjamin Lincoln, commander of the southern department, reporting the consequences of the recent British capture of Savannah and seeking instructions on procedures for exchanging prisoners of war captured in Georgia. Lincoln also enclosed 11 documents pertaining to steps he had already taken in exploring the prospects for an exchange, particularly one setting forth principles of an agreement reached by Lincoln's aid Maj. Thomas Pinckney of the First South Carolina Regiment and Lt. Col. James Prevost, who had been appointed prisoner exchange commissioner by the commander of the British forces. These documents were referred to a committee consisting of Thomas Burke, Henry Laurens, and Meriwether Smith the same day, and they were undoubtedly "the enclosed papers" sent by the committee to Washington. See *JCC*, 13:307; and PCC, item 158, fols. 197–232.

For Washington's March 18 response to the committee, see Washington, *Writings* (Fitzpatrick), 14:254–58. For the committee's report to Congress, which on April 8 authorized Lincoln to arrange a limited prisoner exchange "on the terms proposed by Major Pinckney to Lieutenant Colonel Provost [Prevost] on the first day of February last," see *JCC*, 13:431

James Duane to John Chaloner and James White

Gent. Philad 15 March 1779.

Before Col. Wadsworth left Philad he had directions to deliver to the order of the Minister of his most Christian Majesty 1000 Barrells of Flour for the use of his Majesty's Navy.

Mr. Holker has now acquir'd that Supply—you will be pleasd to confer with him on the manner of the Delivery & take his directions.[1] I am Gent, Your most huml Sert,

Jas. Duane

RC (PHi: Chaloner & White Papers).

[1] John Chaloner and James White, assistant commissaries of purchases in Philadelphia, informed commissary general Jeremiah Wadsworth in a letter of March 18 that they had ordered William Aylett to comply with Duane's order. Wadsworth Papers, CtHi.

James Duane to Mary Duane

Philad. 15th March 1779.

I was made happy, my dearest Polly, by your tender & obliging favour of the 2d Insta[nt. Yo]ur Concern for my Health deserves my Gratitude: but in a World full of Cares, nothing is more unwise than to perplex ourselves with the Apprehensions of future Evils, which may never happen. Like all Men I am exposd to sickness: but few are blessed with a Constitution like mine, which has never been injured by disease, or impaired by Sufferings. I have not forgotten my promise at parting, & it shall be performed, if the Condition of the Country will permit it: But Circumstances may arise which may induce yourself to wish me to continue here, however painful our Seperation. You must not, from hence, conclude that I am determind to spend the Summer in Philadelphia; you cannot wish more sincerely & earnestly than I do for the Happiness of Meeting & parting no more.

I have enclosed the News papers to our honourd Father which you can Amuse yourself with.

I observe what you have done with regard to Mr Robinson. I presume he woud not impose upon you: 'tho I am no Judge of the propriety of his Demand.

Congratulate Cousin Tillotson on his Marriage in my Name. She is a great favorite, possesses fine accomplis[hment]s and will I trust be happy in the Marriage State. Present my Duty, Compliments & Blessings as usual—and believe me to be with all possible Tenderness & Affection, Your faithful Husband,

Jas. Duane

RC (NHi: Duane Papers).

John Fell's Diary

Monday March 15th. [1779]

Commercial Committee. Congress. Letter from Genl. Washington and Genl Maxwell, Imagine Admiral Gambier, is going to New London. Genl Putnam has sent 400 Men there. Letter from Mr Deane, Long debate, the Committee on forreign Affairs to Report on Friday.

Congress went in a Committee of the whole House to consider Bounds &c.

MS (DLC).

John Jay to George Washington

Sir, Philadelphia 15th March 1779

Your Excellency will receive herewith enclosed a copy of an Act of Congress of this day for the Relief of such of the Troops of the United States as are not included in the Quotas assessed on the different States.

I have the Honor to be, With the greatest Respect And Esteem, Your Excellency's Most Obedt. Servant

LB (DNA: PCC, item 14).

Richard Henry Lee to Thomas Jefferson

Dear Sir, Philadelphia March 15, 1779

I have not been unmindful of the small commission you gave me to procure the song and receipt for you. I once had these, but they are mislaid so that I could not find them when I returned home from Williamsburg, or they should have been sent from thence. I have here applied to Mr. Peters for the one, and to Mrs. Shippen for the other and I have hopes of getting them both. I send you herewith a small pamphlet containing a collection of such papers and proceedings as clearly defeats the calumny of the British Commissioners charging this war to our ambition,[1] when the Tyranny and avarice of the British Court most indubitably produced and has continued it.

That our enemies will not get aid from any power in Europe to carry on the war against us is very certain, and the probability is great that Spain will speedily join in the war with France against England. Yet such is the temper of the British Court that it seems clear to me that nothing but the severest gripes of adversity and the last necessity can inspire wisdom and moderation. They certainly mean another campaign, a last effort; and

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Georgia and South Carolina, with the frontiers and sea coasts appear to be their objects at present. Whether Gen. Clinton will take the field or not must depend on the succors he shall receive and the strength of our army. The flattering royal visits that are industriously made to the Nobility and gentry of England may possibly give such energy to the militia as to enable the sending a small reenforcement from their national troops to Gen. Clinton. With our present prospects every nerve should be strained to make our Army strong. By being prepared we shall have a moral certainty of defeating the designs of our enemies the next campaign, which will in my opinion put a glorious period to the war. I am, with much esteem and affection yours, Richard Henry Lee

RC (DLC: Jefferson Papers).

[1] For Gouverneur Morris' *Observations on the American Revolution*, see William Whipple to Josiah Bartlett, February 7, 1779, note 4.

Board of Treasury to Benjamin Lincoln

Sir

Treasury Office March 16. 1779
In Philadelphia.

Felix Warley Esqr. being appointed Auditor of the Detachment of the Army in the Southern District,[1] it is the Direction of Congress as well as the Particular Desire of the Board of Treasury that you exert every Measure in your Power to facilitate and support him in the Execution of his Office, and see that he is accommodated with the Decorum due to his important Station. When you consider how much the Œconomy of the Army and your own Care in Matters of Account depend on the Institution of this Office, we are persuaded that it will give you Pleasure to carry into Effect the Intentions of Congress in their full Extent.[2]

I have the Honor to be, With great Respect, Sir, Your most obed Servt.

Jas. Duane, Chr.
In the Name of the Board of Treasury

RC (OMC: Slack Collection). Written and signed by Duane.

[1] Felix Warley had been appointed an auditor of the army on February 11, 1779. See *JCC*, 13:177, where his name is spelled Varley.

[2] James Duane wrote a nearly identical letter this day to Gen. John Sullivan announcing that William Bedlow had been appointed an auditor of the army. Gates Papers, NN. For the appointment of Bedlow on February 9, see *JCC*, 13:112–13, 156.

James Duane to George Washington

Dear General,

Philad. 16h March 1779

Your Favour has been presented to the Committee of Conference.[1] I beg you will do me the Justice to believe that my Zeal for the publick good—and may I be permitted to add—my Respect and Affection for your Excellency, will never suffer what you have at Heart to languish for Want of my best Exertions: Yet must I ask for Allowances for your Representatives, who are too much incumberd with a weight of Business, always to act with the necessary Vigour and dispatch. You will find that most of the Acts you recommended are passed in Congress: Such as remain will I flatter myself be pushed thro' by the End of the week. The Provision for the Waggoners is that which I like the least, being expensive beyond Bounds: it may however be necessary, & we must at so critical a Time submit; I do it the more chearfully as much is left to your Excellency.

With the utmost Respect, I am, Dear Sir, Your Excellency's most obedient humble Sert.

Jas. Duane

RC (DLC: Washington Papers).

[1] Duane is referring to Washington's March 15 letter to John Jay, which was put before Congress with a report on it from this committee on March 18. *JCC*, 13:332. Washington's letter, in which he strongly urged Congress to adopt a plan for strengthening the army, is in PCC, item 152, 7:183-94, and Washington, *Writings* (Fitzpatrick), 14:241-45.

John Fell's Diary

Tuesday March 16th. 1779.

Commercial Committee. Congress. After Reading Letters &c, Went in to a Committee of the whole house, to consider of Boundaries &c. 6 P.M. Marine Committee.

MS (DLC).

John Henry to Thomas Johnson

Dear Sir Philadela. March 16th. 1779.

The Act of Council I shall indeavour to dispose of in such a Manner as to give Mr. Gilchrist the full advantage of it.[1]

Nothing has taken place since my last, worth communicating except some accounts from S. Carolina, which I have sent to the General Assembly and to which I refer you.

I am Sir with Affection and Sincerity, Yrs.

J. Henry Junr.

RC (MdAA: Red Books).

[1] See Henry to Johnson, March 9, 1779, note.

John Jay to Joseph Palmer

Sir, Philadelphia 16th March 1779.

I had this morning the pleasure of receiving & communicating to Congress your Favor of the 10th Ulto. with the Plan of a Salt-work mentioned in it. A Committee, (of which Mr. Holton is one) was appointed to take it into Consideration. Whatever Resolutions Congress may enter into on the Subject shall be transmitted to You without delay.[1]

The Subject of the Pamphlet herewith enclosed is interesting to every Friend of the American Cause, & will therefore I am persuaded be acceptable to You.[2]

I am Sir, Your most Obedt. & Hble Servant, J.J.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:319, 14:786. Palmer's letter is not in PCC. The committee's report, which Congress adopted on June 30, 1779, merely recommended referring Palmer's plan to the Massachusetts assembly, as it had been Continental policy since December 1775 to rely upon the states to promote the making of salt.

[2] The enclosure is not identified but it may have been Gouverneur Morris' *Observations on the American Revolution*, for which see William Whipple to Josiah Bartlett, February 7, 1779, note 4.

Henry Laurens to George Washington

Sir, Philadelphia 16th March 1779.

I had the honor of addressing Your Excellency under the 2d Inst. This is chiefly intended to convey extracts of Letters which I received last night from Charles Town, these shew our affairs in the sothern department in a more favorable light, than we had viewed them in, some few days ago—nevertheless the Country is greatly distressed & will be more so, unless further reinforcements are sent to its relief.[1] Had we Arms for 3000 such black Men as I could select in Carolina I should have no doubt of success in driving the British out of Georgia & subduing East Florida before the end of July.

The Packet which Your Excellency sent to go by Capt. McQueen rests in my hands, probably it will pass through Camp under the protection of Mr. Gerard who intends a journey through New Jersey in a few days, & tis equally probable Your Excellency will continue it under the same care. Where Mr. Gerard is going to, is a subject not to be talked of at present, & yet 'tis two to one Sir, that you have heard it.

Capt. McQueen is determined to return to Charles Town. He agrees with me in opinion, that the Packet will be in a fairer way for safety & dispatch in the Minister's hand than in his.[2]

I beg my respectful Compliments to Mrs. Washington & that Your Excellency will believe that I continue with the highest respect & most sincere attachment, Sir, Your obliged & obedt Servt,

Henry Laurens

RC (DLC: Washington Papers).

[1] Laurens sent Washington extracts of a February 16 letter from Gen. Andrew Williamson and a February 23 letter from John Lewis Gervais. To the latter Laurens appended the following note. "The Man who brought my letters, says, The Evening before he left Charles Town an express arrived with intelligence that our Militia had taken all the Enemy's baggage killed & taken prisoners a great number of their Men, I think he said 300—if this be true it must refer to Colonels McIntosh & Hammond both very alert enterprizing officers." Washington Papers, DLC.

When he wrote to Laurens, Gervais had apparently also enclosed a letter mentioning Laurens' colleague Richard Hutson, in consequence of which Laurens wrote the following brief note on March 19, addressed to "The Honble. Richd. Hutson Esquire, at Mrs. Houses, Market Street, Philadelphia." "I take the liberty of inclosing under this cover a Letter from Mr. Gervais of Charles Town, in which you will find your name, if you can favour me, by the Bearer, with a Copy of the letter which Mr. Gervais alludes to, You will oblige, Dear sir, Your Obed & Huml Servt, H. L." Laurens Papers, ScHi. No reply from Hutson has been found.

[2] Washington discussed Capt. John McQueen's mission to France in a March 8 letter to the marquis de Lafayette. See Washington, *Writings* (Fitzpatrick), 14:219; and Lafayette, *Papers* (Idzerda), 2:318n.2.

Richard Henry Lee to Baron de Knobelauch

Sir,[1] Phila. 16 March 1779

I am much concerned that the state of my health prevented me from seeing you when you did me the honor of calling at my lodgings, and my concern is very greatly increased by knowing that it is absolutely out of my power to promote your views ⟨*as you have expressed them in your favor of the 15 instant*⟩.[2] If Sir my powers were equal to my wishes which are founded on the conviction I have of your merit, most certainly you would be gratified in your desires. But I should think myself much to blame if I encouraged hopes where I was convinced that none can be entertained. The state of the army, the opinion of Congress on such cases, and the fact being that there are many more Officers of all ranks than Men to be commanded, will I fear render it impossible for you to succeed. Your situation affects me greatly, but how to better it, is a difficulty that I know not in which way to remove. I have the honor to be with real esteem and regard Sir your most obedient and very humble servant,

Richard Henry Lee

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

[1] For Knobelauch's efforts to secure a Continental commission, see these *Letters*, 10:442n.5; and John Jay to Knobelauch, August 29, 1779.

[2] Knobelauch's letter to Lee of March 15 is in the Lee Family Papers microfilm, ViU.

Rhode Island Delegates to William Greene

Sir, Philadelphia, March 16th, 1779

The following agreeable news from So. Carolina, given to us by Col. Laurens since we came into Congress this morning, is so agreeable and may be attended with such happy consequences that we have snatched a flying minute to communicate it to your excellency.[1] Sunday about 1 o'clock in the morning (February 14th) Col. Campbell having previously destroyed the flat bottomed boats in which he had intended to have crossed Savanna River into So Carolina, quietly retired from Fort Augusta leaving behind him all his sick & wounded with a polite note recommending them to the care of Brigr. Genl. Williamson who had prepared to attack the fort the next day.

Genl. Williamson immediately detached Cols. Mc.Intosh & Hammond to hang on the skirts of the fugitives these officers had already received many deserters. The express says the night he left Charlestown a message was received from Genl. Williamson informing that Col. McIntosh & Hammond had taken all the enemy's Baggage, killed & wounded many of their troops and that many more deserters had come in from them. Col. Laurens further tells us that Col. Campbell had invited the Indians to a treaty with him to no purpose, that Genl. Williamson had sent waggons with presents to them and secured them to our interest, and that he had taken effectual measures to intercept a body of tories from the back parts of the country who were about to join Col. Campbell. We have not time to mention other advantages resulting from this happy circumstance; but must leave them to your better judgment. We are with great respect, Yr Excellency's most obedt humble Servts. William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collins.

[1] For further information on this news, see also Henry Laurens to George Washington, this date, note 1.

William Whipple to John Langdon

My Dear Sir, Philadelphia 16th March 1779

I have this moment rec'd your two favors of the 15th and 20th Feby—everything respecting your Supply of money has been answered so far as is in my power Some time ago, and I hope you have been possessed of a Sufficiency for your present purposes long before this time. I do not think it has been in the power of the Navy Board to furnish you, as they inform the Committee they have been obliged to borrow very considerable Sums in order to dispatch the business they were particularly instructed to by the Committee. I mention this that you may not lay blame to their charge for which they are not culpable.

Authentic intelligence is just come to hand from South Carolina advising of very considerable advantages gained over the enemy, the particulars of which I am not able to give you by this opportunity as I am obliged to close this immediately or lose the post.

Your most obt hble servt, Wm. Whipple

Tr (DLC: Peter Force Collection).

William Whipple to Joseph Whipple

My Dear Bror Philadelphia 16 March 1779

Your favor of the 9th Ulto is this moment come to hand & as I am told the post goes out in half an hour I have not time to make a full reply.

It has ever been a principle with me to support Truth & integrity against the opposite Charecters, this naturaly leads me to oppose Mr. D——[1] who has infamously endeavourd to stab the Charecter of the most Faithful & most able Servant that America has had in Europe & for no other reason but because he was a check to his avarices & I may with propriety add vilanous designs. However as those things will all come to light in due time, I will drop the subject for the present. We have very favorable accots from the southward which time will not permit me to give you the perticulars of. The advantages gained by our little Army there will be attended with very important benifits, must refer you to my next for perticulars, in the meantime, I am most affectionately, Yours,

W.W.

RC (MH-H: Sturgis Papers). Endorsed: "Recd per post April 9."

[1] Silas Deane.

Board of Treasury to a Committee of Congress

Sir Philad. 17h March 1779.

Besides the Satisfaction it woud give the Committee on the Treasury to see a Requisition which a Sister State has at Heart, complied with: on principles of Policy we woud wish there shoud be no other Paper Currency than Continental. But such is the State of demands on the publick Treasury; & such the Exertions which must be necessary to preserve the publick Faith & fulfil our Obligations; that we are compelled to declare that it is Still out of our Power to promise the Supply of money requested by the honourable House of Assembly of Pensylvania.[1]

We are directed to emit 52,000,000 which must be delivered out the 1st of August to exchange the two Emissions called of May 1777 and April 1778 & for other Purposes. There are 15,000,000 in arrear, for a great part of which Warrants are issued: The Supplies on opening the Campaign Are to be provided for & will be large; & it will be with the utmost Difficulty, and by the most strenuous Exertions, that money can be emitted in Time for their great & Various Demands.

I am, Sir, Your most Obed Servant, Jas. Duane

for Self, Mr Geary & Mr Carmickle, Mr Griffen & Mr Langworthy & Mr Freelinghuysen, the Com. on the Treasury.

RC (DNA: PCC, item 20). Written and signed by James Duane. Addressed: "Honble George Plater Esqr."

[1] The Board of Treasury was responding to a March 4 letter from the Pennsylvania Assembly to its delegates in Congress containing a request for a loan from Congress to avoid

"the disagreable Necessity of Striking & uttering new State Emissions." The letter had been referred by Congress to a committee chaired by George Plater, for which see the following entry. *JCC*, 13:292; and PCC, item 69, 1:639-42.

Committee of Congress to the Board of Treasury

Sir Philada March 17 1779

The Committee to whom the Letter from the Speaker of the Assembly of Pennsylvania, upon the subject of borrowing a Sum of Money of Congress, was referr'd, cannot proceed upon that business untill they shall be furnishd with a State of the Treasury; I must therefore beg that you will furnish the Committee with such information as you have in your power;[1] and also whether you think it possible for Congress to grant this requisition & comply with their other engagements.[2]

I am sir, Your Obedt Srt, Geo Plater,

RC (DNA: PCC, item 20). In a clerical hand and signed by George Plater. Addressed: "Hon. James Duane Esq."

[1] See the preceding entry.

[2] Although Plater's committee recommended against granting Pennsylvania's request, Congress nevertheless resolved on March 20 "That a sum not exceeding two millions of dollars be granted on loan to the State of Pensylvania, at 6 per cent. per annum, agreeable to the request of the said State." *JCC*, 13:335-36, 344.

John Fell's Diary

Wednesday Mar 17th. [1779]

Commercial Committee. Congress.[1] Motion to Publish, the Acct. that the King of the 2 Scisellys would open his Ports for the Vesells of the United States, And also to Publish as much of the Information from the french Minister as is necessary for the Public to be acquainted with.[2] Report of the Committee on Genl Arnolds affair Postponed till Monday.

Letter from the Speaker of the Assembly[3] for the Loan of 2 Million of Dollars. Committee of the whole to take in to consideration the Bounderies &c. 6 P M Met the Committee on foreign Affairs.

MS (DLC).

[1] According to the journals, the first item of business considered by the delegates this day was a motion by Henry Laurens (seconded by Samuel Adams), "That a member from Massachusetts bay be added to the Committee on Foreign Affairs [i.e., the foreign affairs inquiry committee, which was composed of one delegate from each state, not the Committee for Foreign Affairs], in the room of Mr. Gerry." Because the proposal encountered opposition, however, a motion was adopted to postpone consideration of Laurens' motion "until Mr. Gerry comes in."

Little else is known about the incident except that Laurens and Adams had acted without the knowledge or consent of Gerry, who did not react publicly to it until April 21, when he called for "an explanation of the order of Congress of the 17th March on a motion for adding a member to the Committee on Foreign Affairs in his room." See *JCC*, 13:322-23, 488.

The incident is all the more strange because Gerry's political mentor Samuel Adams, who had seconded Laurens' motion, was a party to the effort to replace him on the committee. Just what motivated the two men to attempt this futile, short-sighted maneuver will doubtless never be known, but it is inviting to speculate that Laurens was dissatisfied with the progress of the committee's work and hoped to gain an ally on the committee just as the members began preparing a report on their two-month inquiry into the conduct of Silas Deane and the American commissioners in Europe, which they finally submitted on March 24. In any case, asking Gerry to take time from other committee duties to attend the foreign affairs inquiry would surely not have answered Laurens' goal, for Gerry seems to have had little interest in the partisan struggle that accompanied the investigation into the charges of Silas Deane and Arthur Lee. To judge from a discussion of the subject that Gerry sent to John Adams in September, Laurens' suspicion that Gerry could not be counted on to defend Lee was well grounded. "I voted for the Recall of all the Commissioners in the Resolution of the 20th April last," Gerry explained, "as an indispensible Obligation arising from the Resolution itself, and also, as a preliminary Measure for fully enquiring into the Conduct of those Gentlemen, that the Character of each may be fairly known, and represented to the publick. The States divided on Doctor Lee and he was continued in Office, contrary in my Opinion to every principle of Government, where a Majority is to rule. This happened by the Mode in which the Question was put, 'shall he be recalled,' instead of 'shall he be continued.' In the latter Case a Division would have lost the Question, and he would have been recalled, which the States who were against him being apprised of, conceived the Matter as it stood, both unreasonable, and unfair." See Gerry to John Adams, September 29, 1779. See also John Fell's Diary, April 21, 1779, notes.

[2] As a result of this motion, a committee consisting of Gouverneur Morris, William Henry Drayton, and John Witherspoon was appointed to prepare a report on the propriety of publishing portions "of the intelligence received lately from Europe." *JCC*, 13:324. It was probably this committee that was responsible for the publication in the *Pennsylvania Packet* on April 6 of an account, "from undoubted authority," of Spain's mediation offer to Britain, of Holland's readiness to sign a commercial treaty with the U.S., and of American access to the ports of "the King of the two Sicilies."

[3] This request was from the state of Pennsylvania, for which see the two preceding entries.

Samuel Holten's Diary

[March 17–18, 1779]

17. Wednesday. I spent the evening in Mr. Adams's Chamber, with Dr. Whitherspoon & Colo. R. H. Lee. A cold day. No news.

18. Thursday. I dined with Colo. Laurens, & the Minisr. of France, a number of the members of Congress & other Gentlemen dined with us.

MS (MDaAr).

John Jay to Nathanael Greene

Sir, Philadelphia March 17th. 1779.

Herewith enclosed are three Acts of Congress—One of the 12th Inst. ordering the Return of some & Payment for the Remainder of the Goods taken from the Inhabitants of Philadelphia—Another of the 13th Inst calling for an Account of the Sales & Distribution of those Goods—And a third of the 16th for enlisting Waggoners to serve during the war.[1]

I have the Honor to be Sir, With great Respect, your most Obedient & Hble Servant, J. Jay.

LB (DNA: PCC, item 14).

[1] *JCC*, 13:307-9, 320-21. For the background of the resolves of March 12 and 13, and the protracted proceedings that preceded their adoption, see Samuel Holten's Diary, August 8, 1778; and *JCC*, 13:71, 86, 94, 213.

The resolve "for enlisting Waggoners" was also sent by Jay to General Washington with a brief cover letter this day. PCC, item 14, fol. 68.

Thomas Burke to Richard Caswell

Dr Sir, Philadelphia March 18th. 1779.

We have not been favored with one line from you either public or private since our arrival in this City.[1] I suppose the exertions our State is making for the Southern Service fully occupies your time, and thoughts. I will therefore not complain of your silence, but I must beg leave to suggest to you that want of information relative to many objects—which must have been before the assembly leaves us in a situation very awkward & disagreeable. The recruiting the Continental Battalions, the Clothing the Troops and Officers, the supplying them with necessaries in such a manner as to prevent their suffering injuriously under the deprivation of the public currency, the efforts for supporting public credit, and supplying funds for reducing the paper currency, are subjects of the highest consequence, and which are, in Congress, objects of unremitting solicitude. On these the most material measures must be ultimately taken by the respective States, and Congress ought to be informed as early as possible of their several exertions. I need not suggest reasons for this to you, but I beg you to consider how disagreeable our situation must be when for want of information, we cannot give the reasonable satisfaction to Congress of saying what our State has or has not done.

Our fellow Citizens who are in the Military line, are daily applying to us to know what provisions are made for them? what attention their Country gives to their sufferings? are they the only Troops who are to be neglected by their more immediate Fellow Citizens for whose rights they are contending at the certain loss of time, of health, of domestic comforts, and the imminent perils of life, while other Troops are the objects of the most liberal and generous attention of the States for whose quota they have engaged. I for my own part, have no doubt that our Country is as generous as any other in the Union—and I hope has the same just sense of the attention due to Citizens so useful, and meritorious as those of the Military order, but uninformed as I am, I can give no satisfactory answer to questions so reasonable, so interesting and so pathetic, and believe me sir, I feel the most poignant concern when I am obliged to dismiss any of those brave and valuable men, without that satisfaction which they have so much just reason to expect. I beg of you Sir, to order the proper officers to transmit to us an account of what has been done by the Assembly on the above matters.

I can give you no news that is interesting. Unimportant Trifles are neither worth your time or mine, and I will not trouble you with them. Affairs of moment are indeed before Congress *but not yet ripe for promulgation.*

I wish you Sir, all possible honor and happiness, and am very sincerely your very Ob. Servt. Thos. Burke.

Tr (Nc-Ar: Governors' Letter Books).

[1] Governor Caswell had written to the North Carolina delegates on March 1, but receipt of the letter is not acknowledged in any of the delegates' surviving letters. *N.C. State Records*, 14:25-26. For evidence that Caswell's letter was received soon hereafter, however, see Burke to George Washington, March 22, 1779, note 2.

Committee on Appeals Decree

March 18th. 1779.

William Gibbs &c Lib[ellant]s & Appelts.
vs. Anthony Pillas Claim[an]t of the
Sloop Conquerant &c App[elle]es

Appeal from Court of
Admiralty of the State
of North Carolina[1]

We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the Matters and Things contained and set forth in the Record or Minutes of the Proceedings of the abovementioned Court of Admiralty in the above Cause as the Arguments of the Advocates of the respective Parties in the above Appeal do thereupon adjudge and decree that the Appeal of William Gibbs and Daniel Bates entered in the above Cause be dismissed with Costs And that the Judgement or Sentence of the said Court of Admiralty pronounced and published in the said Cause be in all it's parts established and confirmed And We do adjudge and order that the Party Appellant pay unto the Party Appellee in the above Cause two hundred and eighty Dollars for his Costs and Charges by him expended in supporting and sustaining the Sentence of the Court of Admiralty aforesaid against the said Appeal &c. Wm. Paca

J Root

John Henry Junr.

MS (DNA: RG 267, case no. 42). In a clerical hand, and signed by Henry, Paca, and Root.

[1] The North Carolina Court of Admiralty at a court of inquiry at Bogue Harbor had awarded, on January 4, 1779, one half of the proceeds from the sale of the French sloop *Conquerant* and her cargo to the sloop's owners and one half to Anthony Pillas, et al.

The *Conquerant* had been captured by the British armed sloop *Granby*, but off the North Carolina coast it began to leak and list badly and while its British prize crew was seeking aid from coastal residents, Pillas, the French mate, and the would-be rescuers regained control of the ship and brought her into Bogue Harbor. When she docked without papers, the sloop was libeled by William Gibbs, the state naval officer, and others who claimed that she was British property. Gibbs appealed the case to Congress, which referred the case to the Committee on Appeals on February 6, 1779, but in this decree the committee affirmed the state admiralty court decision. See *JCC*, 13:150; and transcripts of the state court records, with other pertinent depositions, in case file no. 42, RG 267, DNA.

John Fell's Diary

Thursday 18th. [March 1779]

Commercial Committee. Congress. Letter from Genl Washington Reccomending a better Plan for Cloathing and Recruting the Army. Letter from Genl Schuyler to Resign, 7 No 5 Ay Negative. Report from the Committee, to the Request from Pennsylvania, that the Treasury could not comply with their Request. Memorial Read from Mr Girrard. 6 P M Committee on foreign Affairs.

MS (DLC).

John Fell's Diary

Friday Mar 19th. 1779

Coml. Committee. Congress. Sundry Letters Read. Went in to the Consideration of the sundry articles agreed for an Ultimatom in setling Bounderies, long Debates till 4.

6 P M Attended the Marine Committee.

MS (DLC).

John Jay to William Galvan

Sir, Philadelphia 19th March 1779.

This morning Congress took your memorial into consideration, & direct me to inform you that they cannot comply with your Request for leave to raise an Independent Corps.[1]

That part of your memorial which respects your desire of being appointed an Inspector is referred to the Board of War.[2]

The Zeal you express for the welfare of these States, and your desire to promote it must be very agreeable to every American.

I am Sir, Your most Obedt. & very Hble Servt. J.J.

LB (DNA: PCC, item 14).

[1] *JCC*, 13:337. For Galvan's arrival at Philadelphia the preceding summer, see Henry Laurens to John Laurens, August 29, 1778.

[2] The Board of War's report of April 1 recommending Galvan to the state of South Carolina appears to have been rejected by Congress on April 3, 1779. *JCC*, 13:417–18. There is no record that any further action was taken on Galvan's memorial at this time, but for the resumption of his quest for a Continental commission at the end of the year and his success early in 1780, see *JCC*, 15:1334, 1414, 1419–21, 16:44.

John Jay to George Washington

Sir, Philadelphia 19th March 1779.

I have the honor of Transmitting to Your Excellency, herewith enclosed, Copies of three Acts of Congress, One of the 18th Inst for exchanging Captain Greene, who was made Prisoner at the Cedars in Canada in 1776, with an Extract from a Letter of Major General Schuyler on that Subject.[1]

Another of the 18th Inst declining to accept General Schuyler's Resignation—and a third of the 16th Inst, concerning the Issuing Commissaries.[2]

The Subjects of your Excellency's Letter of the 15th Inst. will I am persuaded meet with all the Attention due to their Importance.[3]

Regulations for the cloathing Department are under consideration & I hope soon to have the pleasure of transmitting them to you.

I have the Honor to be, with the greatest Respect And Esteem, Your Excellency's Most Obedt. Servt.

LB (DNA: PCC, item 14).

[1] Congress' resolve authorizing the exchange of Capt. Ebenezer Green was actually adopted on March 19. *JCC*, 13:338.

[2] See *JCC*, 13:321–22; Jay to Philip Schuyler, January 15, note 1; and Jay's two letters to Schuyler, March 21, 1779.

[3] For Washington's March 15 letter to Jay, see Committee of Conference to Washington, March 16, 1779.

James Duane to Philip Schuyler

Dear Sir Philada 20 March 1779

Congress have declined accepting your Resignation.[1] It woud be too great a Gratification to malevolence & too great a sacrifice of the Interest of the Publick & the Security of your own State. We are not yet out of the woods tho' we begin to see our Way. Men of publick Spirit & great Abilities cannot be spared. The Operations of the War will lead where you have most Experience. But the Reason which ought to satisfy you is that the Commander in Chief expressed the Strongest Aversion to your leaving the Service, giving you high Commendation & urging your Genius & your Experience & that he greatly relied on them.

I know your Infirmity of Body and am sorry for it: but it is not my Intention that your Health shoud be exposd to hardship it cannot sustain. Your advice when you cannot move and your general Superintance under the authority of your Command, will be of the highest Importance. Consider besides who may be your successor, & how much your State has to hope & to fear. Consider All these Circumstances & then tell me whether as a Man of Honour I coud see you driven out of the Army by illiberal Treatment; or as a Patriot submit to the Loss? The Delegates from New York were unanimous in their Resolution that they woud not Vote to accept your Resignation. As our State extends from Lake Nipissin to the Source of the Missisippi, or at least along the 45 d. of N. Latitude from Connecticut River to the Missisipi; how necessary will it be for us that your Military Knowledge shoud be kept alive & your Authority undiminished. I hope you will chearfully submit to what is done, & drop the Correspondence, at least with Congress, on this Subject. If more must be said let it pass thro' your Friends: and whenever you Resign let it be after the Impressions so cruelly attempted to be inculcated are effaced. At least let it not be said that you was obligd to give way to those who persecuted you without a Cause.

Congress have orderd the Articles for Onei[d]a & Tusc[aror]a presents to be sent as you request;[2] The Commiss[ion]s are to be reported upon by the Board of War & you will hear of them in good Time.[3].

The bolting Cloath cant be purchasd under £120 Pen. Cur. I have consulted Col. Livingston. We dare not submit to such an Act of d——d Intention without your permission. It is of Light Carriage & can easily be forwarded. I presume at Kingston you can make a much better Bargain.

Give my Compliments to Mrs. Schuyler & assure her I straind hard to oblige her: but Conscience is a tender thing, & she must excuse me—with Compts to Gen. T. B., J Tayler, Gen Gansevoort & all our Circle, I remain, Dear Sir, Your Affectionate Friend & most Obed Servant,

Jas Duane

P.S. I have a long List of personal Grievances to lay before you: such as Banishment; incessant anxiety; unremitted Labor; intolerable Fatigue &c &c &c &c &c &c &c &c &c &c &c &c &c &c. I do not say they woud weigh down your pains of Body; but this I say that I strive to support them with Fortitude & without Hopes of personal Advantage: Nay under the Expectation of Censure & neglect by those I study to serve.

RC (NN: Schuyler Papers).

[1] For further information about General Schuyler's resignaton, see John Jay to Schuyler, January 15, note 1, and March 21, 1779.

[2] This recommendation was contained in a March 20 Board of War report, but Congress did not actually adopt it until the 24th. See *JCC*, 13:363n.2; and the second letter of John Jay to Washington, March 24, 1779.

[1] Pursuant to a subsequent report of the board, Congress on April 3 empowered the commissioners of Indian affairs for the northern department to confer commissions on "faithful chiefs of the Oneidas and Tuscaroras, giving them such ranks as the said commissioners shall judge they merit." *JCC*, 13:411.

James Duane to Philip Schuyler

My dear General Philad 20 March 1779

Much as I have said on the Chapter of Resignations in the Letter which accompanies this I totally forgot to answer two of your Queries. Know then that neither General Lee nor General St Clair have resignd. The latter has I believe taken his place in the Line. The former is in Town but talks of going in a few days to his Farm in Virginia. He seemd much hurt by the [Apirrance?] of the sentence of the Court martial at first: but is long since restored to apparent good humour; & bears his misfortune much better than was expected. General Glover sent in his Resignation three weeks ago on Account of his private affairs but Congress declin'd receiving it, allowing him however a furlough for I think Six months.[1] You will be deemd every Indulgence which you require on Acct of your Health: But why shoud you wish to be a Silent spectator where You have a Right & abilities to direct? At least let us first see our Frontiers protected, and proper Posts established for our future Security. But I will not enlarge, only to repeat that I am Dear Sir, Your Affectionate & most Obed Servant,

Jas. Duane

RC (NN: Schuyler Papers).

[1] See the second letter of John Jay to Washington, March 2, 1779, note 2.

John Fell's Diary

Saturday March 20th. [1779]

Commercial Committee. Congress. Letters from General How, Govr Rutledge So Carolina, Govr Henry of Virginia.

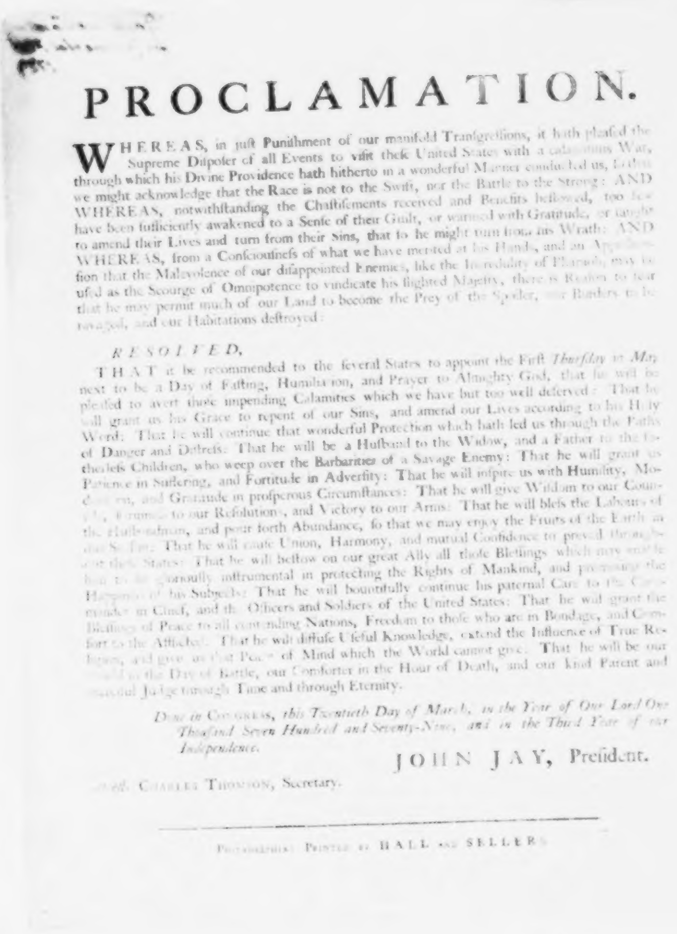
Report of G. Morris for a Fast, to be on the first Thursday in May.

MS (DLC).

Massachusetts Delegates to the Massachusetts Council

Sir, Philadelphia March 20th 1779

We have received your Letter of the 10th of Feby. informing Us, that the State which We have the Honor to represent "has often, for a long Season, been quite ignorant of what has been transacting at Congress," &



PROCLAMATION.

WHEREAS, in juſt Puniſhment of our manifold Tranſgreſſions, it hath pleaſed the Supreme Diſpoſer of all Events to viſit theſe United States with a calamitous War, through which his Divine Providence hath hitherto in a wonderful Manner conducted us, ſo that we might acknowledge that the Race is not to the Swift, nor the Battle to the Strong: AND WHEREAS, notwithſtanding the Chaſtiſements received and Benefits beſtowed, too few have been ſufficiently awakened to a Senſe of their Guilt, or warmed with Gratitude, or taught to amend their Lives and turn from their Sins, that ſo he might turn from his Wrath: AND WHEREAS, from a Conſciouſneſs of what we have merited at his Hands, and an Apprehenſion that the Malevolence of our diſappointed Enemies, like the Incredulity of Pharaoh, may be uſed as the Scourge of Omnipotence to vindicate his ſlighted Majeſty, there is Reaſon to fear that he may permit much of our Land to become the Prey of the Spoiler, our Borders to be ravaged, and our Habitations deſtroyed:

RESOLVED,

THAT it be recommended to the ſeveral States to appoint the Firſt *Thurſday* in *May* next to be a Day of Faſting, Humiliation, and Prayer to Almighty God, that he will be pleaſed to avert thoſe impending Calamities which we have but too well deſerved: That he will grant us his Grace to repent of our Sins, and amend our Lives according to his Holy Word: That he will continue that wonderful Protection which hath led us through the Paths of Danger and Diſtreſs: That he will be a Huſband to the Widow, and a Father to the fatherleſs Children, who weep over the Barbarities of a Savage Enemy: That he will grant us Patience in Suffering, and Fortitude in Adverſity: That he will inſpire us with Humility, Moderation, and Gratitude in proſperous Circumſtances: That he will give Wiſdom to our Councils, Firmneſs to our Reſolutions, and Victory to our Arms: That he will bleſs the Labours of the Huſbandman, and pour forth Abundance, ſo that we may enjoy the Fruits of the Earth in due Seaſon: That he will cauſe Union, Harmony, and mutual Confidence to prevail throughout theſe States: That he will beſtow on our great Ally all thoſe Bleſſings which may enable him to be gloriouſly inſtrumental in protecting the Rights of Mankind, and promoting the Happineſs of his Subjects: That he will bountifully continue his paternal Care to the Commander in Chief, and the Officers and Soldiers of the United States: That he will grant the Bleſſings of Peace to all contending Nations, Freedom to thoſe who are in Bondage, and Comfort to the Afflicted: That he will diffuſe Uſeful Knowledge, extend the Influence of True Religion, and give us that Peace of Mind which the World cannot give: That he will be our Shield in the Day of Battle, our Comforter in the Hour of Death, and our kind Parent and merciful Judge through Time and through Eternity.

Done in CONGRESS, *this Twentieth Day of March, in the Year of Our Lord One Thouſand Seven Hundred and Seventy-Nine, and in the Third Year of our Independence.*

JOHN JAY, Preſident.

Atteſt. CHARLES THOMSON, Secretary.

PHILADELPHIA: PRINTED BY HALL AND SELLERS.

Fast Day Proclamation, March 20, 1779

directing Us, by Order of the hona Assembly," to write to the Council of the State at least once a Month, & oftener if necessary, informing of all such Matters as have been transacted at Congress, that can be communicated consistently with their Orders, & also to send the Journals as far as they have been published." We have never before received from the General Assembly, or either Branch thereof, any Information similar to that which You have been pleased to communicate, & shall carefully improve it, by following their Directions, & preventing to the utmost of our Power, the Inconveniences complained of, in future; in doing which, We shall be under the Necessity of employing a Clerk, unless general Descriptions of the proceedings of Congress will answer the Purpose. But lest the honorable Assembly should conceive that We are responsible for such Inconveniences, We beg Leave to inform them, that Congress have always entrusted their President with the Business of transmitting Such of their Proceedings to the several States as were necessary for their Information, & in Consequence thereof have allowed him a Secretary & Clerks at the publick Expence; And We think that our honorable Colleague who has filled the Chair will join with Us in Opinion, that as on the one Hand, It might have been deemed officious, in any Members to have taken the Charge of transmitting such Proceedings to their respective States, so on the other, the Secretary of Congress could not have been justified in permitting Extracts of the Journals to have been taken previous to his furnishing the president with Copies for the several States; neither could the Members of any State who had not relyed on the Care of the president, have expected that he would detain the Expresses for their Dispatches.

We fully agree with the honorable Assembly, that it is necessary that the Assemblies of the several united States should from Time to Time be made acquainted with what passes at Congress, in Order that Measures may be adopted seasonably, for carrying their resolutions into Execution; and We are more convinced of this from our own Experience of the Want of Information of what passes at the General Assembly, Whose salutary Plans, as far as they depended on Us, may have been frequently obstructed, from our not having received their Journals, or a regular Communication of their proceedings since the Beginning of the Year 1776.

The Propositions of the Assembly touching the continental Frigates, & the Expence of making good the Wages of the Officers & Soldiers of the continental Battalions raised by the State, & of the officers & Soldiers of Colo Jackson's, Lee's, & Hendly's Regiments, & Colo Crane's Regiment of Artillery including Stevens Corps, are committed to the marine Committee & Board of War, & when they report We shall use our best Endeavours to obtain the Resolutions proposed. Mr Gerry begs Leave to remind the hona Assembly that he proposes to return the Beginning of May next, & will be glad that one of his Colleagues may be present to supply his Place. We remain Sir with the greatest Respect for the General Assembly & Yourself, your most obedt & very humble Servants,

Samuel Adams James Lovell

E. Gerry S. Holten

RC (M-Ar: Revolutionary War Letters). Written by Gerry, and signed by Gerry, Adams, Holten, and Lovell. Addressed: "The Honorable Jeremiah Powell Esqr. President of the Council of Massachusetts Bay."

James Duane to George Clinton

Dear Sir, Philad. 21st March, 1779.

I flatter myself your Excellency will be pleased to hear that General Schuyler continues in the Army, Congress having refused to accept his resignation. In a general view, I look upon him as of high importance: but to our own state, his weight and services are most essential. The sufferings of our frontier inhabitants, the danger of their totally retiring into the interior country, the disposition of Congress to chastise and subdue the Six Nations for their perfidy, the views of the Commander in Chief to this great object, the share our State must take in the operations, and the vast benefits it must ultimately derive from their success, are considerations which must lead us to detain, in so principal a command, one of our immediate fellow citizens qualified, both from inclination and experience to do us all possible good. These remarks will carry double force, if it is considered who might be his successor, and how qualified and disposed. As a State we have vast objects to contemplate. Our Western boundary is either a line from Lake Nippissing to the River Mississippi; or at least a line in the Latitude of 45°, from Connecticut River at the station fixed there (by the Commissioners from Canada and New York in Sir Henry Moore's administration) through Moore's point, to the Mississippi: no State has a color of claim to this part of the country: and you have observed that by the confederation, the United States can set up none as a *joint interest*. Indeed in all our debates it is admitted that this territory appertains to our State exclusively. I told your Excellency that I was once drawn in to make it a very serious point! it is the last time it ever was disputed. Having such an immense field we must look forward in season. Virginia has already set us the example. She has actually taken possession of the French settlements on the Mississippi in the Illinois country, occupies Fort Chartres by a garrison, and 4000 inhabitants have submitted to their government and sworn allegiance. At least so Col. R. H. Lee informs me. This carries the views of our State directly to Detroit: but Oswego and Niagara are objects first to be obtained: all of them will be achieved, with God's blessing, by the efforts of the Continent. We are in time to consider how to retain them: for to us they must be surrendered. But your Excellency will ask me, how this great territory is to be held by a State which is not overcharged with inhabitants? I answer that all freemen will look to America for establishments, and that our State, if not inattentive to its own interest, will have the preference. It is esteemed for its Soil, navigation, and situation, which are natural advantages; for those of a political nature it is admired. All sensible people are loud in extolling the excellency of its Constitution, the vigor of its government, the wisdom and fortitude of its inhabitants; and many talk of removing to it even from the settled States. We have nothing to do but to preserve our reputation, by a just, liberal, and wise police, and a vigilant attention to the public interest. These are general reflections: I shall endeavor to be more pointed. Britain settled a line of property with the Six Nations; the Almighty gave them a right of soil: by their own act they submitted their country (in the name of the king whose rights are devolved on our people,) to the protection of New York, then under a royal head. Every right acquired by those treaties and cessions are our own on principles of equity; for they were obtained by a long series of negotiations, presents, and acts of kindness and protection, derived from the blood and treasure of our ancestors both Dutch and English. To those Treaties on our part we have with very few exceptions strictly adhered. In modern times we have done it with the utmost fidelity. The exceptions in a national view were trivial, respecting a few acres, comparatively of territory, and some frauds in trade; and these arose from the avarice of individuals; and not from the acts of government. The Indians have not been so faithful to their engagements; much have we suffered and at various periods, by their wanton outrages. Their violation of the great treaty of Albany with the United States was perfidious beyond example; and their Subsequent ravages, while we were doing our utmost to clothe, protect, and leave them in peaceful security, barbarous and destructive. The Congress are resolved to call them to a severe account; and there seems to be no doubt but that, from the necessity and justice of the measure, our efforts will be crowned with success, and produce peace and submission. What are the conditions which justice demands from a people who last summer confessed that they had destroyed our habitations, and murdered our citizens without the least provocation, or any other inducements than Butler's presents? If they are suffered to remain on this side of Niagara, I mean the perfidious tribes, they at least must make a full compensations for all the injuries they have done to our State; not in words, but according to the South Carolina plan, by a large cession of territory. To demonstrate the equity of this proposition is needless: an estimate to enforce it of all the buildings they have burnt, and damages they have done to the inhabitants, should be immediately taken. An account of the people they have slaughtered should be collected; a high penalty set upon every life: all the expenses the State has been put to, and the loss of Labor which has accrued, should be calculated. With those materials in a negociation we shall be able to procure satisfaction for the injured, and a great accession of the *property of the soil*, to the State. We shall be able if the aggressors are wholly driven from their possessions to justify ourselves to the world, and to our own posterity: we shall if they are suffered to stay on granting a compensation have a cogent argument to apply to their reason or complaints: and a powerful example to restrain their ferocity, and awe them to peace. They will know that hereafter they are to pay for their depredations and butcheries and they will be cautious of incurring the debt. Indeed if we had nothing but our immediate safety in view this would be a most salutary measure. But how great will be the political advantages? We shall acquire a right of soil to encourage the settlement and the population of our country, increase our trade, and augment our Strength; and consequently our security, and national importance: and we shall be thereby enabled to provide for our soldiers who deserve our care, and to pay our taxes without distress. I do not mean that the proposed estimate should be made out with critical exactness: the members of the Assembly, with your Excellency's assistance, can place it on a sufficient ground for treaty.

I ask pardon for being so particular on a subject you so well understand: but as the policy and even necessity of the proposition makes a deep impression on my mind, I could not avoid enforcing it.

Congress have been under a necessity of leaving it to the States to fill up their quotas of the Army in their own way; Virginia having taken her measures without consulting us, and their Assembly being adjourned before the account reached this City.[1] She has been so excessively liberal as to grant 400 dollars and 300 acres to every volunteer who shall enlist in her battalions during the war. While States thus interfere no general system can be adopted; but each must be left to its own prudence. Our plan was to give a sufficient bounty and recommend it to the different Legislatures to refrain from partial bounties. I think it would have been wise. As we are still under a necessity of emitting money, the people being averse to loans, we are called upon from all quarters to recommend a large additional tax. No thing else can aid our currency. I wish to know the opinion of our State. We are seldom favored with their directions, and therefore have not so much confidence as the gent. who are more frequently instructed by the sense of their constituents.

I have the honor to be, with the utmost respect, Sir, your Excellency's most obedient, humble Servant, Jas. Duane.

Tr (MH-H: Sparks Collection). Endorsed: "private."

[1] For Virginia's recruitment act of December 18, 1778, see *JCC*, 13:116; and William W. Hening, *The Statutes at Large; Being a Collection of All the Laws of Virginia*, 13 vols. (Richmond: J. & G. Cochran, 1809-23), 9:588-92.

John Jay to Philip Schuyler

Sir, Philadelphia 21st March 1779.

I have the pleasure of acknowledging the Receipt of your Favor of the 5th Inst.[1] The enclosed Act of Congress of the 18th Inst will inform You that Congress cannot accept your Resignation.[2] Your application on the Subject of Specie is referred to the treasury, & that respecting the Indians to the Board of war, neither of whom have as yet reported.

I have the Honor to be Sir &c.

LB (DNA: PCC, item 14).

[1] Schuyler's March 5 letter to Jay is in PCC, item 153, 3:426–29.

[2] See Jay to Schuyler, January 15, 1779, note 1.

John Jay to Philip Schuyler

Dear Sir Philadelphia 21 March 1779.

So uncertain has been the Fate of Letters during the Course of this War, that I very seldom write one without adverting to the Possibility & Consequences of its Miscarriage and Publication. This Caution has on a late occasion given me much Consolation. Two of my Letters to Mrs. Jay fell into the Enemy's Hands at Elizabeth Town. They contained nothing that would give me Uneasiness if published. Prudential Considerations of this Kind, have since my arrival here restrained me from writing several confidential Letters to You; and I should now be equally cautious, had I not full Confidence in the Bearer, & under little Apprehension of Danger from accidents on the Road.

Congress has refused to accept your Resignation—twelve States were represented.[1] New England and Pennsylvania against you. The Delegates of the Latter are new Men, & not free from the Influence of the former—from New York South you have fast Friends. Mr. Laurens's Disposition indeed is at least questionable—Delaware was unrepresented.

What is now to be done? You best can answer this Question—were I in your Situation I should not hesitate a Moment to continue in the Service. I have the best Authority to assure you that the Commander in Chief wishes you to retain your Commission. The Propriety of your Resignation is now out of Question. Those Laws of Honor which might have required it are satisfied—are you certain they do not demand a contrary Conduct. You have Talents to render you conspicuous in the Field, and Address to conciliate the affections of those who may now wish you ill. Both these Circumstances are of worth to your Family & independent of public Considerations argue forceably for your joining the army. Gather Laurels for the Sake of your Country & your Children. You can leave them a sufficient Share of Property—leave them also the Reputation of being descended from an incontestibly great Man—A Man who uninfluenced by the Ingratitude of his Country was unremitted in his Exertions to promote her Happiness. You have hitherto been no Stranger to these Sentiments, & therefore I forbear to enlarge. Would it not do you Honor to inform Congress that while in their opinion your Services ought not to be withheld from your Country, neither the Derangement of your private affairs, the Severities you have experienced, or Regard to your Health already impaired in their Service, shall restrain you from devoting yourself to the Execution of their Commands. But that whenever the Situation of public Affairs may cease to call you to the Field, you hope they will permit you to retire and attend to the Duties you owe your Family.

Should this be your Determination, would not the main Army be your proper Object? There you may be best known & there best acquire military Influence. Consider—this campaign will in all human Probability be decisive and the last—Can you therefore employ six or Eight Months better?

I will not appologize for the freedom with which I write, being persuaded that altho our opinions may vary, you will consider this Letter as some Evidence of the Sincerity with which I am, Your Friend & Servt,

John Jay.[2]

[*P.S.* My best] Respects to Mrs. Schuyler.

RC (N: Miscellaneous Manuscripts).

[1] See Jay to Schuyler, January 15, 1779, note 1.

[2] This day Jay also wrote a brief letter to his wife, Sarah, reporting that because the house he had rented in Philadelphia was about to be vacated they could probably expect to be reunited in about two weeks. See Jay, *Papers* (Morris), p. 578.

Richard Henry Lee to Arthur Lee

My dear {Brother}[1] Philadelphia March 21, 1779

I refer you to mine by Capt. Robinson written when I was on my way to this place. I found when I arrived here that the {author} of {*Common Sense*} had pursued his {blow}s so {effectively} that without {doors Deane} and his {faction} have lapsed into {general contempt}. A more {wicked set} I realy think never {disgrac}ed and {injur}ed {society}. {With}in {door}s the {faction continue} to {exert themselves}, but I do not think {they} can {succeed}. However {they} are {numerous} and {arrogant}, and therefore {you} will not be surprised let {happen} what {may}. But provide all possible {proof}s of {Deane's libel}. His {charges again}st {you} are {suspicion, jealousy, affronting, hate} of the {French} and that you {inform}ed {Lord Shelburne} of the {treaty} on the day of {sign}ing. For all this {assertion} alone is {produc}ed. But {against} him {enough} appears to induce the most {violent suspicion}s. This they know and therefore loosing {hope} of {support}ing {Deane} their {hope} now is to make you {fail} also. But here will be the puzzle. Their {role} is not less {against William}. The {charge}s against are {mean}ness and going {share}s with the {agent}s he {appoint}ed. But there is no {proof}. Yet {ambition, avarice, envy}, and {tory}ism can make what they cannot otherways find, and believe for gratification things that exist not. Should they act so injuriously I hope you will {appeal} to the public, so that shame and disgrace may fall on the wrong doers. With composure therefore {collect} your {proof}s.

Give my best love and respects where you know them to be due.

{Richard Henry Lee}

P.S. Mr. {John Adam}s has {wrote} greatly in {your} [favor(?)][2] to S. {Adam}s. I can neither send newspapers nor be more large & particular because I am not acquainted well with the conveyances and my notice is short.

FC (MH-H: Lee Papers). In the hand of Richard Henry Lee.

[1] Words printed in braces in this text were written by Lee in cipher.

[2] Lee obviously omitted a word at this point. The context of the sentence suggests that he may have had in mind a word such as "favor," "behalf," "support," or "defense."

Marine Committee to the Eastern Navy Board

Gentlemen March 21st. 1779

We have received your favours of the 26th February and 3d instant[1] and now desire if the Ship Warren hath not already sailed, that you keep her in Port ready for the execution of our further Orders; But if she has sailed before this reaches your hands which from your last letter we apprehend will be the case, then we entreat you to use your utmost diligence in preparing for the Sea the frigate Providence giving her four Months provisions agreeably to our Letter of the 21st. Ultimo, and we shall send you our Orders respecting her destination. It is of importance that you advise us of the time in which you think she will be manned. It is our desire that the frigate Trumbull Should be got out, and we leave you to use your discretion as to the circumstances of Tides and danger from the enemy. We are Gentn, Your hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The February 26 and March 3 letters of the board to the committee are in the Eastern Navy Board Letterbook, NN.

Charles Thomson to Joseph Reed

Sir, Philad. March 21, 1779

When it was first intimated to me, that Council intended to drag me into their dispute with Congress, I considered it as a groundless surmise. Because judging of others by what I felt in my own mind, I flattered myself, that as you were no stranger to the part I had acted and the pains I had taken to remove doubts respecting your conduct, to wipe off aspersions cast on your character and to obviate objections and remove prejudices against you occasioned by hasty and unguarded words & expressions dropped by you in the warmth of your zeal for the public service; that you in return, who were so intimately acquainted with my conduct and motives of action, for a series of years, would oppose any attempt to injure my reputation: At least from your professions of friendship & regard for me, I thought it incredible, that such a measure could be seriously resolved on without your giving me some previous intimation of it. Besides it appeared to me altogether improbable and too injurious to the reputation of Council to suppose that words spoken in July 1778[1] should lie rankling in their minds till March '79; more especially when I considered that a few weeks after the transaction, I had received a pressing invitation to meet the person offended who then held the first post in government & others of the highest rank, to form a club for purposes you are well acquainted with; that I attended one evening and received every mark not only of civility and respect, but of confidence & friendship; that at parting I received a cordial invitation to join the club and upon my mentioning how my evenings were engrossed by the duties of my office was told that the company sensible of this would not insist on a constant attendance, but that my occasional visits would be agreeable. It is true I did not attend again. But no offense could be taken as there was an obvious reason for my not attending & whatever private objections I had remained secret in my own bosom.

For the reasons above mentioned I thought it altogether improbable that my name should at this time be brought into your dispute. But, it seems, I was mistaken. A point is now to be carried, and to attain this, every bond of friendship is to be broken, every sentiment which would influence a generous mind is to be sacrificed. Nay, it is said that a person in high office and confidence of council has declared "That they are determined to put every thing to the issue and either to sink Congress or sink themselves" or words to that effect. Can it be possible that such a resolution is taken and an avowal of it encouraged by those who are entrusted with the supreme executive power of Pensylvania? Yet the person making the declaration had a right to know, & must have been very deficient in his duty if it was longer to remain a secret. If this is really the case, it will be easy to account for what to me seemed so highly improbable. But the difficulty still occurs how to credit this which seems to surpass all belief. What must be the consequence if either event takes place? Have you, Sir, have Council provided for your safety so as to be guarded against the consequences? You are surely too wise and too prudent to put all to the hazard. The world will never believe you capable of such folly. Pride and passion are bad councillors; but cannot be supposed to influence the conduct of a prudent man. Suppose the worst that could happen to America, personal safety, nay riches and honors will be but a poor recompence for the loss of character and the curses of posterity. I pray you, Sir, to consider that in contests such as those in which we are engaged, Suspicion and jealousy are awake; that however patriotic and upright your designs are, they may be misconceived or misinterpreted. Already surmises are creeping in; and people are beginning to sound each others sentiments by shrugs and wishes that all may be right. Slander will soon begin to open her mouth. A people who wish to be free will ever be jealous of those to whom they entrust power. They will fear their actions, examine their motives & judge of their conduct. The declaration of governor Johnstone in parliament, when he so cautiously & guardedly denied the accusation stated against him with regard to you "that he did not mean to disavow his having had transactions where other means besides persuasion have been used" makes a deep impression on the minds of many. And a question is started. Suppose it were possible to conceive that a president and council of one of the united states were the persons with whom those other means have been used what would be the line of conduct they would probably pursue? Openly and avowedly to advocate the cause of great Britain would be folly in the extreme. What then would be their line of conduct? Would it not be to divide the people by every means in their power; To lessen the reputation & consequently the weight & authority of the great council of the United States; to poison the minds of the people & prejudice them against Congress by misrepresentation of facts & publications calculated to deceive; to seize every occasion of quarreling with Congress, and endeavour to bring the other states & particularly the legislature of their own into the dispute; To labour to damn the reputation of the commander in chief, if this cannot be effected to fawn, flatter & cajole by addresses & fulsome adulation; To attack & endeavour to ruin other general officers of the Army not sparing those of their own state whom they cannot hope to influence, especially such as are distinguished for their spirit and bravery; and if they cannot effect their purpose to disparage their past services, pour upon them a torrent of abuse with a gently salvo of "as it is reported and believed"; And to foment differences between them & the officers of their own state; to bribe the soldiers & alienate the inhabitants of their own state from the service by representing military discipline as degrading to freemen; To keep hackney writers in pay for the purpose of amusing the people and drawing their attention to other objects than those of their safety; To leave the defences of their country unguarded & unrepaired, that the enemy may meet with no opposition, in case they think proper to attack or invade it, &c.

But I fear I am trespassing on your time & patience. Though this letter is drawn from me by a proceeding I little expected, and is written with freedom; yet I can assure you it is not dictated by passion but with a sincere desire that you may profit thereby. I have no other end in view but the happiness & prosperity of my country, to the service of which I have devoted myself, in a line that cannot interfere with you, nor with any other person that I know, for whom I ever professed a friendship.

May you wear your laurels ever blooming, and deserve the applause of the present as well as of succeeding ages is the wish of him who was your sincere friend & who is still with all due respect, yrs.

Chas Thomson

FC (DLC: Thomson Papers). In the hand of Charles Thomson, and endorsed by him, probably at a later time and with another pen: "Copy of my ltr to Jos. Reed in consequence of his being mentioned in ⟨*the*⟩ Arnolds dispute with Congress."

[1] The best clue to the meaning of this reference that has been found is the following entry from the minutes of the Pennsylvania Council for July 13, 1778. "An indecent & affronting application having been made by Charles Thompson, Secretary of Congress, to the Hon'ble George Bryan, Esq'r, Vice President, demanding possession of a House which he says Colo. Proctor unjustly detains from him, & insisting [Blank in Council Book]." *Pa. Council Minutes*, 11:531. Little is known about this incident beyond what is contained in this quotation and in Thomson's letter to Reed, but Bryan had apparently revived the memory of it in mid-February 1779 when the Pennsylvania Council was collecting evidence about insults experienced by the state at the hands of Continental officials. This conclusion can be deduced from the following one-sentence letter to Vice President Bryan from Daniel Roberdeau, dated "Monday Morning, Feb'y 21, 1779." "Be pleased to furnish me," Roberdeau wrote, "with the Date of the Resolution respecting the papers laid before Congress by the Supreme Executive Council, said in the Journal to be from T. Matlack." See *Pa. Archives*, 1st ser. 7:198; where it is endorsed "Date of the paper enquired for, is 13 July, 1779." Although the evidence of this document is patently flawed—the endorsement should have read 1778 instead of "1779"; and February 21, 1779, was a Sunday and not "Monday"—it seems clear that Bryan's resurrection of this episode provided the occasion for the letter from Thomson. The latter was obviously disappointed in Reed and the council for letting their passionate pursuit of Arnold cloud their judgment to such an extent that they injected a number of tangential issues into their dispute over the general's malfeasance and in the process undermined their own case. See also the "fifth" complaint of Pennsylvania against Continental officers quoted in Henry Laurens' Notes of Debate, March 26, 1779, note 1.

Thomas Burke to George Washington

Dr Sir Philadelphia March 22d 1779.

When I had the pleasure of Seeing you in this City, I had a little Conversation with you on the Subject of Reinlisting Such of the North Carolina Troops and levies whose time of Service might be nearly expired. My Collegues and myself wrote to the State on the Same Subject.[1] The Assembly thereupon resolved that "three hundred dollars per man be given to each Soldier who shall reinlist for one year or more in the North Carolina Continental Service."[2] The delegates are authorised to act accordingly, and we are unwilling to take any measures without previously Consulting you lest we Should Contravene Some general Orders by you given under the late regulations for recruiting the army. We are inclined to give the State bounty, in addition to the Continental, to all who shall inlist during the war. We deem Soldiers obtained on Such Terms better worth the agregated bounty than Soldiers inlisted for one year are worth the State bounty, and indeed Sir we are disposed to do every thing in favor of the Soldiers, deeming them the most useful, the most Suffering, and most important order of our fellow Citizens. My Collegues concur with me in requesting your advice on this Subject as soon as possible and in assuring you we Shall Cooperate with you with the greatest chearfulness.[3]

I beg leave Sir to offer you my best wishes and to present my most respectful Compliments to your Lady.

I have the honor to be Sir, with the greatest respect and Esteem, your very obt. Svt, Tho Burke[4]

RC (NHi: Miscellaneous Manuscripts).

[1] See North Carolina Delegates to Richard Caswell, December 22, 1778, note 3.

[2] For this North Carolina Assembly action, which was transmitted to the state's delegates in a March 1 letter from Gov. Richard Caswell, see *N.C. State Records*, 13:608, 718, 721, 14:25–26.

[3] For Washington's April 5 response to Burke's request for advice, in which he declared that "I am most clearly convinced of the impolicy of State bounties in all cases," see Washington, *Writings* (Fitzpatrick), 14:336–37.

[4] This day Burke also began another letter, of which only the following fragment survives. It is endorsed "unfinished Letter suppose to Col. Harrison."

"I delay'd thus long answering your favor of Feby 18th in hopes that every day would bring to a period some important Business on which we have for some time been engaged, but delays, many of which are the Effect of Artifice, have hitherto intervened and prevented me, and at this time I am not at liberty to communicate anything.

"I am in Sentiment with you on our finances, and our affairs generally, but my hopes are more Sanguin than yours, perhaps *from having a fuller information.* I have great Confidence in the Resources of our People, and I am persuaded." Burke Papers, NcU.

John Fell's Diary

Monday March the 22d. [1779]

Commercial Committee. Congress. Order of the Day, for considering the Ultimatum for the Fishery, Long Debate.

Report for Appointing Clothier General &c to be considered tomorrow morning. 6 P.M. Committee on foreign Affairs.

MS (DLC).

Samuel Holten's Diary

[March 22, 1779]

22. Monday. I dined with Mr. Gerard & a No. of the members of Congress dined there. I wrote to the Council of Massa. Bay & to Mr. Avery, & Mr. Warner.[1]

MS (MDaAr).

[1] Holten's letters to the Massachusetts Council and to Elias E. Warner are printed in the following entries, but his letter to John Avery has not been found.

Samuel Holten to the Massachusetts Council

Sir. Philadelphia March 22d, 1779.

By a resolution of the Genl. Assembly of the 15th of Octr. last, the honble. Council are desired to transmit or cause to be transmitted, to each of the delegates from the Massachusetts-Bay, then in Congress the sum of

£800—And as I am desirous of giving the board as little trouble as possible; Therefore if a warrant is made out for the above sum, on the treasurer of the State, payable to me or my order, and delivered to the care of Mr. Avery Depy. Secy. is all I desire of the honble. Council in consequence of said resolution. I have the honor to be, Sir, with great respect & esteem, your most obedient & most huml servant, S Holten

P.S. Congress on Saturday last resolved that it be recommended to the several states to set apart the first Thursday in May next, as a day of fasting & prayer thro' these states.[1]

RC (M-Ar: Revolutionary War Letters). Addressed: "The Honble. Jeremiah Powell Esqr. president of the honble. Council of Massachusetts Bay."

[1] See John Jay to the States, this date.

Samuel Holten to Elias Warner

[March 22, 1779]

[. . .]Self with interest: I suppose Mrs. Holten had not then received a Sum of money I sent her about that time; The remainder of the money, which I suppose will be about £40—I desire you[1] to transmit to Mrs. Holten by some safe hand; Colo. Hutchinson who represents the Town of Danvers, will deliver to Mrs. Holten any letters you may send with pleasure, if you'l let him know whose business it respects.

It is natural to suppose that I shall be desirous of knowing whither you are able to transact this business; Therefore a few lines from you will be very Acceptable, inclosing my reciept & note given to Mr. Hancock if you procure them, but in order to guard against Accidents, I desire you to take my name from the same, before you inclose them.

It is possible the money may be sent by the honl board to me, before this reaches you, in that case, please to return me the inclosed order,[2] with Mr. Hancock's letter & account, and I'll send you the money you advanced to Mrs. Holten by the first oppertunity, Yours affectionately

FC (DLC: Holten Papers). In the hand of Samuel Holten and endorsed by him: "Copy of a letter to Mr. Elias E. Warner, March 22d. 1779. This business is all Settled." First page or pages of this letter are missing.

[1] Elias Warner (1750-81), brother-in-law of Samuel Holten and a Boston merchant, had apparently been pressing Holten for repayment of a debt. In addition to the endorsement on this letter quoted above, Holten also made the following relevant notes on a separate sheet:

"Minutes taken from my memo book—I wrote Mr. Warner Nov 10th, 1778, but can find no copy. 1779 Jan 14th I wrote to do. but have no copy.

"1779 Feb. 16th. I recd. a letter from Mr. Warner but can't find it.

"1779 March 2d. I wrote to Mr. Warner, but can find no copy. Then follows letters & copies.

"N.B. For some time after I attended Congress first I kept no copies of my letters except public letters. I therefore conclude, that I paid Mr. Warner for the horse before I kept copies of my letters, for I am sure I did not owe him for the horse or any thing else when I paid him the money he let Mrs. Holten have." Samuel Holten Papers, DLC.

[2] This day Holten wrote the following "order" to Henry Gardner, treasurer of Massachusetts: "Please to pay to Mr. Elias E. Warner, three hundred pounds, in part of a Warrant, he will present, from the honl Council of the state of Massachusetts Bay drawn in my favor; And you'l oblige your humb. servant." Samuel Holten Papers, DLC.

John Jay to John Dickinson

Dear Sir, Philadelphia 22d March 1779

Your Election to a Seat in Congress is an Event for many Reasons pleasing to me. I have for sometime past flattered myself with soon having the Pleasure of again seeing you in a Place which you formerly filled with advantage to your Country and Reputation to yourself.

Permit me to hint that your State is unrepresented—& that were you apprized of the very important Affairs now under Consideration, you would think with me that your Attendance ought not to be longer delayed.[1]

I am Dear Sir with great Respect, Your most obedient & h'ble Servt

John Jay.

RC (PHi: Maria Dickinson Logan Collection).

[1] Dickinson had been elected a delegate by Delaware on January 18, 1779, but he did not take his seat in Congress until April 23. He and Jay had been colleagues in the first and second Continental Congresses when Dickinson represented Pennsylvania, but he had not attended since July 4, 1776, when he had refused to support the adoption of the Declaration of Independence. See *JCC*, 14:501; and these *Letters*, 4:xx, 364-65, 379-82.

John Jay to the States

Sir, Philadelphia 22nd March 1779.

Inclosed herewith Your Excellency will receive two printed Copies of an Act of Congress of the 20th Inst, recommending to the several States to appoint the first Thursday in May next to be a day of Fasting, Humiliation, & Prayer.[1]

I have the Honor to be, Your Excellency's Most Obed. & Hble. Servt.[2]

LB (DNA: PCC, item 14). Addressed: "Circular."

[1] For this Fast Day proclamation, which was drafted by Gouverneur Morris, see *JCC*, 13:272, 342-44, 15:1453.

[2] This day Jay also wrote a second letter to Massachusetts, which he addressed to council president Jeremiah Powell. "Inclosed with my last were eighteen Commissions for private Ships of war, & a like number of Bonds & Instructions—I now send two dozen of each. Mr. Holten tells me you have been put to some difficulties for want of these Papers—I therefore think it necessary to transmit this Supply." PCC, item 14, fol. 72.

Henry Laurens' Proposed Resolutions

[March 22? 1779][1]

Principles & inferences for framing Instructions.

The United States of America have a common right of taking fish on the high Seas & on the fishing Banks of North America.

The Inhabitants of the said States had enjoyed the same from their earliest settlement in America, until they were interrupted in the exercise thereof by certain late Acts of the British Parliament, enforced by Arms.

That it is essential to the welfare of these United States that their Inhabitants should recover & reenjoy the right of taking fish on the high Seas & on the Banks of North America as aforesaid.

That this right is also necessarily adherent to every sovereign Power & consequently within the design of the 2d Article of the Treaty of Alliance between the Court of Versailles & these States, the direct end of which is to maintain effectually, the Liberty, Sovereignty & Independence absolute & unlimited of the said States as well in matters of Government as of commerce.

That if Great Britain shall refuse the insertion of an Article or Articles in a Treaty of Peace, for securing to these States the Peaceable & Independent enjoyment of the said right of taking Fish no Treaty of Commerce between Great Britain & these States be agreed to.

That no demand be made respecting the Fisheries which shall tend to encroach on the rights of our Allies as settled & restricted in the Treaty of Paris of 1763 between Great Britain & France, nor in any degree to Violate the Treaty of Paris between the Coart of Versailles & these States.

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Mr Laurens's amendmt. on Mr Morris's Motion on fishery."

[1] Although American access to the North Atlantic fisheries is generally regarded as a primary concern of the New England delegates, Laurens took great interest in the subject and strongly supported his northern colleagues on this issue, eventually drawing sharp criticism from several southern delegates for his stand. It is not known when he drafted the document printed here, which was intended as an amendment to a statement on American fishing rights drafted by Gouverneur Morris, but for the background of the congressional debate on this issue see the following entry.

Gouverneur Morris' Proposed Resolutions

Principles [March 22? 1779][1]

That the United States have a Common Right to take Fish upon the Fishery Banks of North America and elsewhere upon the High Seas.

That this Right is necessarily adherent to every Soverign Power and consequently within the Guarantee of Liberty, Sovereignty & Independence of the United States by the Treaty of Paris.

That the Exercise of this Right is highly advantageous to these States and cannot be interupted without great loss, Injury and Danger to them.

That any Such Interruption ought to be considered as a direct Commencement of Hostilities.

That in a Treaty of Commerce with G. B. express regard be paid to the Exercise of the Said Right & articles inserted related thereto on Principles of Equality & Reciprocity.

That if Great Britain shall not assent to the Insertion of such articles no Treaty of Commerce be agreed to on the part of the United States.

Conclusions & Instructions.

As Doubts may arise how far the Guarantee of our Liberty, Sovereignty & Independence extends in Relation to the Fishery that an Explanation on that Subject be requested from France.

That the United States will not Guarantee the American Dominions of Great Britain without an Express covenant from her not to disturb them in the Exercise of the Said Right.

That the United States will not consent that France Shall Guarantee the Said Dominions without Such Explanation as aforesaid unless G. B. shall make the Covenant above mentioned.

That if no such Explanations or covenant be obtained the United States will not consent to a Treaty of Peace.

MS (ScHi: Laurens Papers, no. 22). In the hand of James Custer and endorsed by Henry Laurens: "Mr. Morris's proposed motion on fishery."

[1] On February 17 Congress appointed a committee of five to take into consideration a number of letters from Arthur Lee and a memorial of February 9 from Conrad Alexandre Gérard for the purpose of formulating the minimum terms Congress would insist upon as a condition for considering peace negotiations should Spain enter into an alliance with the United States. The report of the committee—which consisted of Samuel Adams, Thomas Burke, Gouverneur Morris, Meriwether Smith, and John Witherspoon—was submitted on February 23, and it was subsequently debated on February 27 and March 1, 4, 10, 11, 15, 16, 17, and 19, at which time two of the "ultimata"—concerning the boundaries of the United States and evacuation of British troops—were adopted. On March 22 Congress resumed consideration of the committee's report and debated at length an article on the right of the United States to the North Atlantic fisheries. Although such an article was adopted on the 22d, Congress voted to reconsider its work on the 24th, and finally approved a substitute fisheries article on either March 24 or 30. See *JCC*, 13:194-95, 239-44, 260, 263-65, 272, 297-98, 302, 306, 318, 322, 329-31, 339-41, 348-52, 369-73.

Although the journals published by Worthington C. Ford indicate that the substitute article was adopted on March 24, it seems likely on the evidence of John Fell's diary, that it was actually adopted on March 30. Ford drew the material for his entry of the 24th from Charles Thomson's "Secret Foreign Journal" not from Thomson's regular "Rough Journal." And since Fell is rather explicit on the point—"Agreed to an Ultimatum for the Fishery"—and provides a breakdown of the vote that coincides precisely with that found in Ford's entry for March 24, his testimony compels attention. This is especially true because Thomson often did not post entries in his secret journals immediately after the date of the proceedings described, and the passages at issue here contain internal contradictions that disappear if one assumes that the substitute article was actually adopted on the 30th as Fell reported. The most significant of these is the appearance of Joseph Spencer's name among the delegates listed as voting for the substitute article, for according to Thomson's regular "Rough Journal" Spencer did not take his seat in Congress until March 27. Cf. PCC, item 1, 21:102-4.

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109, 129, item 5, fols. 199–204, 207–9; *JCC*, 13:369–73, 378, 394; and John Fell's Diary, March 30, 1779.

It is not known when the fisheries resolves printed here were proposed by Morris, but because they focus on "Principles" rather than on the details of fishing rights, it seems probable that they were offered earlier than the 22d, when the delegates adopted a specific resolve on the issue. The document has been placed here merely because the fisheries provided the focus of this day's debate on the peace ultimata, which had been under consideration since February 23.

For Henry Laurens' effort to amend Morris' proposed resolve, see the preceding entry.

William Whipple to Joseph Whipple

My Dear Bror. Philadelphia 22d March 1779

On the 16th instant I hastily acknowledged the receipt of Yours of the 9th Ulto which had just then come to hand, intending at that time to take a more leasure moment to consider its contents. You give me a Friendly caution against engaging in any party matters, as such I take it. I believe you will do me the justice to allow that my Public conduct is not influenced by Personal attachments. From the commencement of the present dispute with Great Britain (with which commenced my attendence on public Business) I think I have made Truth, Justice, & the Public Weal, the only objects of my attention, & this principle only shall influence my conduct with respect to Mr. D——[1]. As to Mr. P.[2] he is perfectly indifferent to me, I have not changed a word with since my arrival here in Nov. last, nor do I mean at any rate to be an advocate for him; in his controversy with D—— he has shewn much temper & a great want of Prudence, but is in no instance (that I can recollect) chargeable with a deviation from Truth, he has full evidence of what he asserts as facts & violent presumtive evidence of every insinuated Charge. I will mention one instance which at present occurs to me and which perhaps appears as incredible to you as any of Mr. Pains insinuations. I mean the robing the Mail of Octo 1777[3]. It must appear to a stranger (who has only heard of Mr. D——s being employed in a public carecter of great trust) that nothing but Malice could dictate a Suggestion that he could be capable of such a peice of baseness and yet there are such circumstances attending this matter that whoever are acquainted with them cannot entertain a doubt of the fact. This mail was delivered to Congress by a Mr. Folger, on opening it blank papers were found in the several packets which originally contained the public dispatches & Letters from Mr. Lee & some other of the Commissioners, but the private Letters from Mr D to his Friends were safe, this Circumstance alone is sufficient to raise a suspicion, there are others which prudence forbids my committing to paper at present but which so strongly coroborates what I have already mentioned as to carry full conviction to every impartial mind, now, if we can suppose a man capable of such an act, what dark deeds can we suppose him incapable of? By this time I immagine you have formed some Idea of this mans Charecter, but I will relate one circumstance more, & then recommend a second reading of Pain's publications, you will then be able to form a true judgment. Mr. D has had the Command of very large sums of public money; large sums have passed through his hand unconnected with his Colleagues; has he settled his accots? C.S. tells you he has not & C.S. tells you the truth indeed Mr D tells the free & virtuous Citizens of America that he has lodged their papers in a place of Safety but why did he not bring them with him? A Stronger Convoy than 12 sail of the line is not to be expected or if he suposed the risque too great notwithstanding this force, surely he might have brot copies with him. He has often been questioned on this subject but I have never heard of his giving a satisfactory answer. When Mr D was before Congress & a proposition was made to ask him questions he desired no questions might be asked, that might tend to Criminate him. He was not Charged with any crime, but was called before Congress to give an account of forreign affairs in general what could he have to fear? (being inocent) from any questions that could be put to him; the very proposition in my judgment implies guilt. When this Gentn went to Europe he was known to be possessed of but a very small fortune, soon after his arrival in France he engaged in business to an extent that required a very large Capital; large sums of public money in his hands unaccounted for to this day; what must be the conclusion? He had art enough to get on the blind side of a man of 76 but was not able to evade the watchfulness of his other Colleague, who was therefore *burdensome* to him. I have said much more on this subject than I intended to, but it is necessary for me to obviate one difficulty that you seem to labor under which arrises from D's vile insinuation that Congress would not hear him, I must confess I was amaized at his intolerable impudence, but more surprised that it shod be passed over in the manner it was; however this is one of those matters that prudence forbids my trusting in a letter therefore must be contented with assuring you that the insinuation has not the least foundation in truth.

It may not be improper to mention one Character who is a principal object of D's Calumny. I mean A.L.[4] There is no one that deserves better of America than this Gentn, to him we are indebted for all the useful intelligence for many Years before the commencement of Hostilities & to him we are indebted for great part of the Supplies that Mr D takes to himself the whole credit of, for he had formed the plan long before Mr. D left America but his integrity stood in Mr D's way, & therefore endeavours are made to raise suspicions of him in the Court of France, how far he succeeded in this Treacherous design I am not able to say, but I imagine not to his wish. Inclosed you have an extract of a Letter from a Gentn whose varacity is unquestionable and on whose opinion you may rely. By this time I believe you are as tired of Mr D as I am, & that is saying a great deal too, for I assure you I am sick of hearing him mentioned because I think it will be a great blot in the History of America that such a Charecter should be employed in a virtuous struggle for Liberty—but even such Charecter will find supporters, & the most Virtuous will be traduced, such is the depravity of Human nature, but the approbation of a good Conscience is a ballance to every unjust aspersion, whoever preserves this need not fear all the shafts of Malice & envy. Adieu, Your affect. Bror, W.W.

RC (MH-H: Sturgis Papers).

[1] That is, Silas Deane.

[2] Thomas Paine.

[3] For further information on the theft of the dispatches of the American commissioners at Paris in 1777, see these *Letters*, 8:560–64.

[4] Arthur Lee.

Samuel Adams to Elizabeth Adams

My dear Betsy Philade Mar 23 1779

In Answer to a part of yours of the 20th of Feb. which I overlookd, I will transcribe an Extract of a Letter which I wrote last December to the Council of Massachusetts State.[1] You may shew it to my Friends & inform that I am still determind to return to Boston in April or May—there to resign the place I hold as Secretary, and to get my self excusd from any further Service here. No "Bribe" shall prevail on me to desert my Country. I will still exert my poor Abilities in her Service. But as I am satisfied that there are others who are much more capable of serving her in this Department than I am, I may be allowd to say, that after near five years absense from my Family, and in a Climate unfriendly to my Health, I have Reason to expect I may be permitted to spend the Remainder of my Days in my native Place and enjoy the Pleasures of domestick Life. There, I shall on all Occasions contribute my Mite in promoting the Peace and Prosperity of my fellow Citizens. In their Service, I began my political Race. I have ever kept their Interest in View. It will never be in my Power to render them much more Service; but my best Wishes for them will be coequal with my Life.

I do not think my Countrymen are ungrateful; but I am affraid there is a Faction among them, consisting of a few Men, who are under the Dominion of those Passions which have been the Bane of Society in all Ages—Ambition and Avarice. I wish their Number may not increase. They are congenial Spirits with Hutchinson and those who aimd at grasping Wealth and Power. America, when she was wise, was jealous of such Designs. She opposd them though they were backd with the Wealth and Power of Great Britain. Such Kind of Men do me great Honor as they ever have done in being my Enemies. While such Men exist, and I believe they ever will in this World of Vanity, an honest Man would feel mortified indeed, to have it said that all Men spoke well of him. These Men hate, but I would not believe them if they were to say, they despisd the Man whose Integrity they cannot shake. They dread, but they cannot despise him of whom they entertain an Opinion, that he is a virtuous Citizen. I do not covet their Esteem. They are not among the Multitude of my Brethren, of whom I should count it an Honor to be accepted. The Eclat of the World is Vanity. There is a solid Satisfaction in ones having, and being conscious that he merits the good opinion of Men of True Discernment and real Worth. But to have a Name among the weak and the wicked is Shame and Reproach. Adieu my Dear. I hope to see you shortly, and then I will explain to you why I have written in this Strain.

RC (NN: Adams Papers).

[1] Elizabeth's February 20 letter to Samuel is not in the Samuel Adams Papers, NN, but for the "Letter which I wrote last December" on the subject of his service as a delegate to Congress, see Samuel Adams to Jeremiah Powell, December 1, 1778.

Samuel Adams to James Warren

My dear Sir Philade. March 23. 1779

I am to acknowledge the Receipt of your Favors of the 12th & 28th of February.[1] The Letter you mention in the former came to hand, but I am apt to think it will have no Effect at all.[2] There was an Omission, in the Navy Boards not having Notice officially of the inclosd Resolution of Congress, but I hope the Delay has not been attended with material Inconvenience.[3]

I do sincerely hope the General Assembly will appoint another Person to take my Place here. I wrote a Letter to them last December, requesting that I might be relievd by one of my absent Colleagues or some other Gentleman, and permitted to return to my Family. I find my Health decl'ning, and the Air of this Country is unfriendly to it. I am therefore for that, and other Reasons which I shall mention to you hereafter, steadfastly determind to get my self excused in April or May at farthest. In doing this, I shall immediately make Room for an abler Man. Such may easily be found and, I hope, be prevaild upon to come. I shall also gratify those whose Hearts are bent upon my Removal; and I shall save them Abundance of Pains which they will otherwise be put to, in *making their Interest* to effect it. These Men agree with me, if in Nothing else, in wishing most cordially for my Retirement from publick Life. Perhaps they would chuse to have me recalled with Disgrace. I hope that will not be in their Power; though I think I could bear even that with becoming Fortitude, for I am conscious that I do not deserve to be disgracd by my Country, and can be happy in the Reflections of my own Mind.

The Arts my Enemies make use of are contemptible. Last year, as you observe, I was an Enemy to General Washington. This was said to render me odious to the People. The Man who fabricated the Charge did not believe it himself. When he endeavord to make others believe it, he attempted to injure me by imposing upon them. His own Heart must therefore reproach him with complicated Acts of Injustice, and if he has any Feeling, he must despise himself. If I indulgd the Spirit of Revenge, could

I wish for more? Now, you tell me, their Art is to prejudice the People against the Lees, and to propagate that I am a Friend to them. How trifling is this! Am I accountable to the People for my Opinions of Men? If I have found, from long and intimate Acquaintance with those gentlemen that they are, and have been from the Begining of this Contest, among the most able and zealous Defenders of the Rights of America and Mankind, shall I not be their Friend? I will avow my Friendship to these gentlemen in the Face of the World. As an Inhabitant of Massachusetts Bay, I should think my self ungrateful not to esteem Arthur Lee most highly, for his voluntary Services to that State in Times of her greatest Necessity, to the Injury of his private Interest and at the Risque of his Life. Adieu my Friend. I hope to see you shortly.

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

[1] Warren's February 12 and 28 letters to Adams are in *Warren-Adams Letters*, 2:86–88, 91–93.

[2] Adams is apparently referring to Jeremiah Powell's February 10, 1779, letter to John Jay requesting that the Continental Navy be ordered to protect Massachusetts coastal shipping. It was read in Congress on March 5 and referred to the Marine Committee, but the journals contain no further mention of the letter and it is endorsed in the margin next to the passage requesting naval protection: "Nothing to be done." See PCC, item 65, 1:382–84; and *JCC*, 13:274.

Warren, who was a member of the Eastern Navy Board, had sent Adams the following warning on the council's letter. "Your old Friend figures away in the usual Stile. Sometimes the pendulum swings one way and sometimes the other—I mean with regard to Whiggism or Toryism, but never fails to swing uniformly against all that wont Bow down and worship a very Silly Image. You will have an Instance in a Letter which I am told has gone forward lately from a Certain Assembly to Congress relating to the Ships here and the Navy Board. This Letter had its rise from him and was Calculated and designed to Carry very Injurious reflections on the Board, but was greatly Amended (to his Mortification) by the other Branch. I believe it contains now but little more than a desire to have the Navy Board under their direction. If Congress think it necessary they should have more Masters they will do it, but I hope at the same time they will appoint one new Member in the room of one old one. I would not detain you longer, but it is necessary you should be acquainted with some Facts." *Warren-Adams Letters*, 2:87.

[3] Adams was apparently responding to Warren's inquiry about a requested increase in salary for the navy board members, which Congress had agreed to on October 31, 1778. See Adams to Warren, November 3, 1778.

Committee on Appeals Decree

March 23rd 1779

John Davis &c Lib[ellant]t & App[ell]ees
vs. William Gibbons &c Claim[an]ts of
Schooner Polly and Appellants

Appeal from the State
of North Carolina[1]

We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the Matters and Things contained and set forth in the Record or

Minutes of the abovementioned Court of Admiralty in the above Cause as the Arguments of the Advocates of the respective Parties in the above Appeal Do thereupon adjudge and decree that the Judgment or Sentence of the Court of Admiralty aforesaid be in all its parts revoked, reversed and annulled And we do further adjudge and Decree one Moiety of that Part of the Cargo shipped on board the Schooner Polly by John and James Davis to John Davis Libellant & appellee in the above Cause And the aforesaid Schooner Polly her Tackle Apparel and Furniture together with the remaining Part of the Cargo found on board the said Schooner at the Time of her Capture to William Gibbons Commander of the Letter of Marque Schooner Chatham and Appellant in the above Cause And we do also further adjudge and decree that the Party Appellee pay unto the Party Appellant in this Cause two hundred and eighty Dollars for their Costs and Charges by them expended in supporting and sustaining their said Appeal.

Wm Hy Drayton

J Root

Wm. Paca

MS (DNA: RG 267, case no. 43). In a clerical hand, and signed by Drayton, Paca, and Root.

[1] The North Carolina Court of Admiralty at an inquiry at Beaufort had awarded the schooner *Polly* to Capt. John Davis and crew on January 2, 1779. Capt. William Gibbons, commander of the privateer *Chatham*, then appealed the decision to Congress, which referred the case to the Committee on Appeals on February 6, 1779.

According to testimony given before North Carolina Judge William Tisdale, the *Polly*, owned by British subject Robert Cross and captained by John Davis, left Jamaica on November 20, 1778. Davis testified that en route he and the crew decided to take the schooner to North Carolina and libel it there—claiming the proceeds as a lawful prize. Off the North Carolina coast the schooner was captured by the privateer *Chatham* and brought into Beaufort, where the initial admiralty court inquiry was held.

In this decree the committee reversed the state court decision, awarding the *Polly* and one half of her cargo to Gibbons and one half of the cargo to Davis. See *JCC*, 13:150; and transcripts of the state court records, with pertinent depositions, in case file no. 43, RG 267, DNA.

William Ellery to William Vernon

Dear Sir, Philadelphia March 23d. 1779

Although I have not wrote to you yet I have not been unmindful of you. Our old acquaintance, and similarity of political sentiments have formed a connection which on my side will not be easily broken.

The happy situation of your Son Billy in France gives me great pleasure. When you write to him please to present my best regards to him and tell him not to forget that he is an American, nor the essential characteristics of a republican.

Capt Rathbun's Success hath given me great Satisfaction not only on account of the public benefit derived from it; but because I procured him his appointment. I am sorry to hear that he is indisposed. It would have been more agreable to me that he should have continued on the Providence until such a vessel as you recommend should have been provided for him than that She should be commanded by a man of whom I have not the highest opinion.[1] But I have no voice in these matters not being a member of the marine committee. I believe you have the appointment of the commanders of Vessels of her Burthen. The appointment of Officers is a matter of very great importance, and ought to be heedfully attended. Beside the disadvantage which may accrue to the public from bad appointments, the faults of those we commend may excite a blush on our cheeks. Our marine affairs have not been nor will they be well conducted so long as the supreme direction of them is in the hands of Judges, lawyers, Planters &c. Congress are fully sensible of this; but they have so many affairs forever upon the tapis that I am afraid it will be late before the marine department is properly arranged. I showed your letter to several of that marine committee who approved of Capt. Rathbun's having such a vessel built for him as you describe, and I expect they will soon report to Congress accordingly. Make my Compliments to Captain Rathbun, and tell that if among his takings he should take any good snuff and reserve a bottle for me he will much oblige his and Your friend & humble Servt.

William Ellery

RC (RNHi: Vernon Papers).

[1] Capt. John Peck Rathbun, who had commanded the sloop *Providence* on several very successful cruises, had just returned to New Bedford after sending several prizes into port. Rathbun remained on detached shore leave until June 1779, when he replaced Capt. Joseph Olney as commander of the *Queen of France*. William J. Morgan, *Captains to the Northward* (Barre, Mass.: Barre Publishing Co., 1959), pp. 153–54, 165–67.

John Fell's Diary

Tuesday March 23d. 1779.

Commercial Committee. Congress, went in to the Report of having a Clothier General &c &c. Letter Read from Major Clarkson for leave to go to the Southern Army. Motion made by one of the Delegates for Pennsylvania, that he have leave to go. Long debate, Motion to Postpone Yeas & Nas call'd for carried in the Affirmitive.

Motion Per G Morris that Major Clarkson be calld to the Barr and Repremanded Per the Chair for his Past conduct in writing disrespectfull Letters to the Execitive Council of this State &c.[1] 6 P M Marine Committee.

MS (DLC).

[1] See John Jay to Joseph Reed, January 27, note 2; and Fell's Diary, February 1, 1779, note 3.

Richard Henry Lee to John Adams

My dear Sir, Philadelphia March 23. 1779

Give me leave to introduce to your friendly attention the Bearer George Mason esquire the son of a Gentleman in Virginia whom I esteem among the number of my most valuable friends.[1] This gentleman goes in search of health to some southern part of Europe, and being a stranger in France, I shall be in a particular manner obliged to you for every mark of friendship that you shew him

To Mr. Mason I refer you for our news, which indeed is not much. This opportunity coming suddenly on me I have not time to answer your favor lately received so particularly as I wish, therefore I shall defer it until one of our Continental Vessels sails for France which I expect will be in a short time. I am now in great haste, but with perfect esteem, dear Sir your most sincerely affectionate friend, Richard Henry Lee

RC (MHi: Adams Papers).

[1] According to George Mason of Gunston Hall, his son George (1753-96) was about to embark on a trip to southern Europe for an "obstinate rheumatic Complaint." For the elder Mason's efforts to obtain letters of introduction for his son, as well as a letter to Richard Henry thanking him for writing on his son's behalf, see Mason, *Papers* (Rutland), 2:488–91, 497.

James Lovell to Horatio Gates

Dear Sir, Mar. 23d. 1779.

You have lived long enough in the World to know that a Man may vex himself to death if he lets the little Arts of Envy or Malice affect him, therefore you will be thrown into no Convulsions upon reading the Remarks made upon Morris and Drayton by Common Sense who meanly gives into an Error of Servility while he corrects the Duumvirate. *He* was *affraid* to mention any Body but *Starke*.

A very judicious Foreigner who was at the Camp Celebration of the Alliance wished out of *pure Regard to Genl. Washington* that a Somebody in the Assembly could have mustered Magnanimity enough to fill a Glass to Genl. Gates when those who *died* at Saratoga were remembered.

I wish I was near you [*to*] talk over the Ultimata suited to the Time and supposed State of Things in which Peace may happen to be proposed. It would be no Miracle if *now* hinted. But I own I wish it may not be offered but at a Season when we are *prepared* for War or at least *preparing*. Is that our Case now?

As to northern Expeditions, I am not in the Secret.

Is it not *imprudent* to keep *only* about 6 Thousand Men & no Ships at N York? I do not say it is *insufficient*, considering *all* Things.

No Letters from Boston Today. No Man not even a Currier is thought to be obliged to behave as formerly when *the Money was better*. How shall we contrive to burn half of it? If Men will not lend we must emit. Why is there not so much Patriotism as to enable us to declare solemnly that we will not strike a single Bill more? But, that Topic adds a Sickness at my Stomach to the Pain in my Jaw and obliges me to close with a Repetition of much regard. James Lovell

RC (NHi: Gates Papers).

Thomas Nelson to George Washington

My Dear General Philada. March 23d 1779.

I had the satisfaction of receiving your Letter of the 15th[1] by Colo. Laurens and I would have answer'd it by Colo. Harrison but I had not the pleasure of seeing him (being from home when he call'd on me) till he was about to leave the City.

I am happy that my taking a seat again in Congress meets with your approbation; and shall be still more happy, if by my advice or assistance, America shall be relievd from her present distresses; for in my opinion she has not, at any time, since the commencement of this War, been in so much danger as she is now, and principally from the state of our finances, which seem to me to be in strange confusion. What may be the result of the late determination of Congress for calling in the Emissions of April & May 77 & 78 I know not; but the present effect is very contrary from what was expected. Our immediate Country is almost thrown into convulsions by it. I fear it has given a deadly stab to the Credit of any Paper Money that may hereafter be issued by Congress. Let us however profit by experience and endeavor to apply a remedy to the sore, before it make the bone caries. I propose certainly to pay you a visit in the Spring, for believe me when I assure you that I am with the greatest regard & esteem, Your Obedt. Servt & affectionate friend,

Thos Nelson Jr.

[P.S.] I beg you will present my Compts to Mrs. Washington.

RC (DLC: Washington Papers).

[1] Washington's March 15 letter to Nelson is in Washington, *Writings* (Fitzpatrick), 14:246–47.

William Whipple to Josiah Bartlett

My Dear Sir Philadelphia 23d March 1779

I have only time at present to acknowledge the receipt of Your favor of the 20th Feby.[1] & must take some future opportunity to consider its contents. I wish to have your opinion of an additional Tax. You know large sums must be still issued for the support of the Army, which will still sink the Currency unless more is called in by Tax, should such a measure be under consideration I shod be happy to know the sentiments of my constituents for the Government of my own conduct.

You ought to be very watchful of every man in public life who entertains a sentiment in the least inconsistent with the true principles of Republicanism for on no other principles can the Liberties of America be supported.

I am very Respectfully Yours, W.W.

RC (NhD: Bartlett Papers).

[1] Bartlett's February 20 letter to Whipple is in Bartlett, *Papers* (Meyers), pp. 244–45.

William Whipple to Meshech Weare

Philadelphia 23d March 1779

Sir,

I have the Honour to inclose a Resolution of Congress respecting the Exchange of Capt. Green,[1] also a Report of the Committee to whom was refered Your Letter Respecting the loss sustained by Sam. Davis.[2] The poor mans misfortune is to be lamented, but it is necessary that Matters of this Kind should be settled on general Principles.

I should be happy to have it in my power to transmit you the determination of Congress on the Petition of the Officers; a report of the Board of War on that subject has been some time on the Table but when it will be decided on, is impossible for me to say, in the mean time there appears the Greatest Necessaty to Recruit & enable, the Army to Act with Vigour, & I doubt not New Hampshire (who has never been behind any of her Sister States in vigourous exertions) will adopt proper measures for that purpose, for notwithstanding the Idle Rumours about peace I am confident it will be necessary to prosecute the War with the utmost Vigour; The last accounts from our Commissioners in France justify this Opinion.

By the last advices from the Southward our affairs in that quarter wear a favorable aspect, & if Our Army was in force to make a general attackt on New York, there would be the most Flattering prospect of puting a speedy end to this destructive War. It is true that we have very great difficulties to encountre but I doubt not the smiles of Heaven on our exertions, will enable us to surmount them.

Congress has Recommended a fast on the first Thursday in May, I have just sent to the printers for a Proclamation, which I shall inclose if to be obtained.[3] In the mean time I have the Honour to be with every Sentiment of Esteem & Respect, Sir, Your most Obedient & very Huml Serv,

Wm. Whipple

RC (Nh-Ar: Weare Papers).

[1] For the resolve directing General Washington to seek the exchange of Capt. Ebenezer Green, see John Jay to Washington, March 19, 1779, note 1.

[2] Congress had refused to reimburse Samuel Davis and Ephraim Whitney for their loss of Continental money in a fire. See *JCC*, 13:299-300; and Whipple to Weare, December 8, 1778, note 1.

[3] See John Jay to the States, March 22, 1779.

Samuel Adams to James Warren

My dear Sir Philada. March 24, 1779

The Bearer of this Letter being prevented setting off today by a Storm, I have had Time to transcribe the inclosd Extracts.[1] They were written to me in Confidence, as you will observe. I think I am warranted in communicating them to *you*, because I know the Writer has as much Confidence in your Prudence and Discretion as he has in mine, if not more; and I do not see how I can better use them for the Purpose he intended in sending them to me, than by sending them to you. Those Parts which are descriptive of the Weakness, or if you think more proper, of the reserved Caution of Age, you will judge it prudent to keep secret for the present. There are some of our Friends, who having been long habituated to admire the Wisdom of the Philosopher, cannot easily be perswaded to believe, that in the different Character of a Politician, he may be lyable to human Frailties at the Age of more than three Score and ten. Those Parts which may serve to set Dr Lee in his true Character of an honest and diligent Servant of the Publick, you will make Use of for that Purpose; for it is of equal Importance that the Fidelity of one and the Treachery of another in the Service of the Publick, should be made known. A Man of inflexible republican Virtue, cannot but incur both the Dread and Hatred of those, who are ambitious—desirous of making Fortunes—artful and enterprizing, especially if much of the publick Treasure has passed, unaccounted for, through their Hands. Mr. Dean would have the World beleive that Dr Lee is a dishonest Man and a Traitor. The writer of these Extracts who has had full Opportunity of enquiring, says, "He is a Man of Integrity and Honor." "A Worthy Character." "Invariably attached to the Cause of America." I am inclind to think, that no honest and sensible Man who is acquainted with both, will hesitate to determine, on which of their opinions to rely, or which of them, in the present Instance, ought to be supposd the *impartial* Judge. Adieu.

RC (MHi: Warren-Adams Papers). In Adams' hand, though not signed.

[1] Adams undoubtedly enclosed extracts from John Adams' December 5, 1778, letter, which he quoted below. For this letter, see also Samuel Adams to Elizabeth Adams, March 7, 1779, note 7.

Thomas Burke to George Washington

Sir Philadelphia March 24th 1779

The Governor of South Carolina has pressed the Governor of Virginia for an aid of Cavalry, and the latter has recommended to the Several

Counties of his State which lie contiguous to Carolina to raise Corps of Volunteer Cavalry in order to march to the aid of the Southern army and has transmitted his proceedings to Congress.[1] The affair is Comprehended in a Business referred to A Committee of which I have the honor to be a member, and I am directed to ask you Sir if Colonel Blands or any other Cavalry of the regular army can be Spared to that department. The Committee are willing to report that The Volunteers be Countermanded if another aid of that kind can be afforded, but are unwilling to leave the Southern army without So Necessary an appointment. The report on this particular will be Suspended until we are favored with your answer! I therefore beg leave to request it as early as may be Convenient.[2]

I have the honor to be, With perfect respect and Esteem, your most obd hum Sevt,

Tho Burke

P.S. The Inclosed letters came under cover to my Collegues.[3] I beg leave to Submit them to you to be disposed of as you Judge best.

RC (DLC: Washington Papers).

[1] For Gov. John Rutledge's February 6 letter to Patrick Henry, and Governor Henry's March 8 letter enclosing the former, which were read in Congress on March 20 and referred to a committee appointed to study "the circumstances of the southern states," of which Burke was chairman, see *JCC*, 13:336, 344.

[2] For Washington's March 28 response to Burke, in which he offered "no objection" to having either George Baylor's or Theodorick Bland's regiment of dragoons ordered to the southern department, see Washington, *Writings* (Fitzpatrick), 14:302-3. For the committee's report on the "safety and defence" of the southern states, which was amended and adopted by Congress on March 29, see *JCC*, 13:374, 385-88.

[3] See Washington, *Writings* (Fitzpatrick), 14:303.

John Fell's Diary

Wednesday Mar 24th [1779]

Commercial Committee. Congress. Letter from Majr Clarkson Read in which he seems to doubt the Authority of Congress's power to send for him, At 12 He came and was Reprimanded.[1] After he was discharg'd, it was moved that a Brevet Commission of Major be given him, after much debate the mover withdrew the Motion. Order of the Date for considering the Bounderies, Line to be drawn in Lat'd 45 agreed. Gave my Negative to the full and free Navigation of the Missasipia, if we must continue the Warr for that to be our Ultimatom. NB a very great storm of Snow.

MS (DLC).

[1] Matthew Clarkson's March 23 letter to President Jay, "in which he seems to doubt the Authority of Congress's power to send for him," is in PCC, item 78, 5:329-32. For the vote on Gouverneur Morris' motion to reprimand him, see *JCC*, 13:361-62. For the background of these proceedings, which mark the culmination of one of the chapters in the long and bitter conflict between Congress and the Pennsylvania Council over the latter's efforts to force Gen. Benedict Arnold's removal as Continental commander of Philadelphia, see John Jay to Joseph Reed, January 27, 1779, note 2.

Clarkson's reprimand was also mentioned by Samuel Holten in his diary entry for this day. "Wednesday. A very Stormy day of Snow. Majr. Clarkson was repremanded by the president of Congress for writing a disrespectful letter to the council of Pennsylvania." MDaAr.

John Jay to George Washington

Sir Philadelphia 24th March 1779.

I have the Honor of acknowledging the Receipt of your Excellency's favor of the 20th Inst, with the Memorial enclosed with it.[1] On the 15th I had the Honor of transmitting to You by Major Talmage an Act of Congress of that day for the releif of such of the Troops of the United States as are not included in the Quotas assessed on the different States. This Act I hope has reached your Excellency & will remove the Grievance complained of by the Memorialists.

Herewith enclosed are copies of two Acts of Congress—one of the 20th Inst. recommending to the several States to appoint the first Thursday in May next to be a day of Fasting, Humiliation and prayer—The other of the 23rd Inst, is "an Ordinance for regulating the Cloathing Department for the Armies of the United States".[2] Congress have directed the Board of War to report the Salaries proper to be allowed the Officers of this Department—& when assertained shall be immediately transmitted.

I have the Honor to be &ca.[3]

LB (DNA: PCC, item 14).

[1] Washington's March 20 letter to Jay, enclosing a memorial from Col. Henry Jackson of Massachusetts' Additional Continental Regiment, is in Washington, *Writings* (Fitzpatrick), 14:263-64; and PCC, item 152, 7:195-97.

[2] For the adoption of this clothing department "Ordinance," see *JCC*, 13:348, 353-60, 15:1453; and Washington, *Writings* (Fitzpatrick), 14:37-39, 158. For Washington's frustration over the Board of War's failure "to report the Salaries proper to be allowed the Officers of this Department," see Washington, *Writings* (Fitzpatrick), 14:328, 340, 381, 391, 15:124.

[3] This day Jay also wrote the following letter to Paymaster Ebenezer Hancock concerning the transmittal of money for recruiting Continental troops in Rhode Island: "Inclosed is a copy of an Act of Congress of this day, enabling & directing the PayMaster of the Board of War to transmit Six hundred Thousand Dollars to your Assistant Mr. Stille at Providence." PCC, item 14, fol. 73; and *JCC*, 13:362-63.

John Jay to George Washington

Sir, Philadelphia 24th March 1779.

Inclosed is an Act of Congress of this day authorizing the Commissioners of Indian Affairs in the Northern Department to order Supplies of Provision to the Oneidas & other friendly Indians whose Necessities may require it, & directing the Commissaries in that Department to obey such Orders.[1]

Altho' this Act may not require your immediate Interposition, yet as every circumstance that may have an Influence in military Operations ought (in my Opinion) to be made known to your Excellency, I think it my duty to transmit it, and the more so since all the Departments have been expressly declared to be under your Direction.

I have the Honor to be, with the greatest Respect & Esteem, Your Excellency's, Most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

[1] *JCC*, 13:363. This day Jay also sent copies of the same act with brief letters that he addressed to Gen. Philip Schuyler and "To the Commissary of Issues in the Northern Department." PCC, item 14, fols. 73–74.

Henry Laurens' Notes on William Hodge's Account

[March 24? 1779][1]

From the best collection I can make from Mr. Hodge's Account, shews.

The Cutter to have cost	86468 Livres
The Lugger	27252.12.7
whole Amot. Mr. Hodge's Account	113,720.12.7
The balance he claims due to him	21,428.12.7

Mr. Deane say Mr. Hodge from the first took an Interest in the Vessel & advanced his proportion of the Money.

Then there would have been no cause for drawing Livres out Mr. Grand's hand. & less for claiming a Balance of 21428.12.7. as due to him because ¼th of the Cutter would have amounted to 21617.

The Cutter Cost	86468
Mr Hodge's ¼ if advanced	21617
	64851
The Lugger	27252.12.7
	91803.12.7

MS (ScHi: Laurens Papers, no. 21). In the hand of Henry Laurens.

[1] On March 24 the foreign affairs inquiry committee brought in a report concerning "the conduct of the several Commissioners appointed to foreign Courts," which was read and postponed. The report included a number of charges against Silas Deane, "with the Evidence," which included under the second charge "Mr Hodge's account of the Receipt and expenditure of public money for a Lugger and a Cutter, bought and fitted out at Dunkirk." *JCC*, 13:365. It is presumed that Laurens wrote this note in connection with the formulation of this charge against Deane, probably when the committee's report was being composed, in which case it would actually have been drafted before March 24. See also the following entry.

Charles Thomson's Notes on Charges against Silas Deane

[post March 24, 1779][1]

Farther evidence in support of the charges

2 ch. agst. Deane.[2] Copy of a letter from J. Thornton dated Paris Feby 1778, offered by Mr Laurens.[3]

Copy of a letter from J. Williams Nantes March 26, 1777 to Mr Deane, offered by Mr R H Lee.

A letter of 26 Feby 1779 from William Aylet to Mr R H Lee.[4] Offered by Mr R H Lee.

A copy of the sums of money paid by the public banker to Willm. Hodge. By Mr R H Lee.

MS (DLC: Peter Force Collection). In the hand of Charles Thomson and endorsed by him: "No. 49. Farther evidence offered in support of the charges against Mr Deane by Mr Laurens & Mr R H Lee—viz J Williams letter to Mr Deane March 26. 1778."

[1] For the foreign affairs inquiry committee report on charges against Silas Deane submitted on March 24, see the preceding entry, note. Burnett printed this document under the date March 30, on the assumption that William Aylett's February 26 letter to Richard Henry Lee listed herein by Thomson probably reached Lee on that date. Although the conjecture is a reasonable one, no explicit evidence has been found to support it. See Burnett, *Letters*, 4:126n.

[2] For the committee's second charge against Deane, "Misapplication of public monies," see *JCC*, 13:365.

[3] A copy of a letter of February 20, 1778, from John Thornton to Arthur Lee, in the hand of Henry Laurens, is in the Laurens Papers, ScHi.

[4] Aylett's letter, bearing an endorsement by Henry Laurens' secretary Moses Young, is in the Peter Force Collection, DLC. A copy of it, in Laurens' hand, is in the Laurens Papers, ScHi. Aylett was responding to a letter from Richard Henry Lee of February 7 which does not survive, but it is clear from Aylett's letter that it concerned Henry Bromfield's knowledge of Deane's shipment of supplies to America in 1777, a subject that Lee also discussed in a letter he wrote at about the same time to the editor of the *Virginia Gazette*. See Lee, *Letters* (Ballagh), 2:8n.3.

Thomas Burke's Draft Committee Report

[ante March 25, 1779][1]

⟨*That it is expedient for Congress to recommend to the State of South Carolina to raise   additional Battalions on the new Establishment.*⟩

⟨*That the said Battalions except Commissioned and non Commissioned Officers should consist of able bodied Negroes.*⟩

⟨*That the owner of every Negro inlisted into the said Battalions ought to receive for the Same a Sum not exceeding   dollars to be paid at the Continental Treasury in   months after the inlistment.*⟩

⟨*That the Colonel or other Commanding Officer of every of the Said Battalions Shall give to the owner of every Negro inlisting in the Same A Certificate of the said* *inlistment Containing the age, and description of the Negro, and the price agreed on between the owner and the said Colonel, or other commanding officer, which Certificate properly Indorsed and authenticated Shall intitle the bearer to receive the said price when the same shall be due.*⟩

That no pay or bounty be allowed to the said Negroes,[2] but that they be cloathed and subsisted at the Expence of the united States.

That every Negro who shall well and faithfully Serve as a Soldier[3] to the End of the present war and return his arms be emancipated, and receive the Sum of dollars.

⟨*That it is also Expedient, that it be Recommended to the State of South Carolina to fill up their quota of the Confœderal Troops with Negroes upon the foregoing Terms.*⟩

That it be recommended to the States of Virginia and North Carolina[4] to raise as many Battalions of Regular Soldiers as their Circumstances will admit, every Battalion to Consist of the following ranks and denominations of Officers, and rank & file.

Vzt, That a bounty not exceeding dollars be given to every Non Commissioned officer and Soldier who shall inlist in the said Battalions.

That the time of Service of the said Battalions[5] Shall not exceed one year from the day of next.

And that they shall not be compelled to Serve on any Enterprise, or on the defence of any post to the Northward of the State of Virginia.

The circumstances of the army will not admit of the detaching of any force therefrom for the defence of South Carolina and Georgia.

The Confœderal Battalions of those two States are very feeble in force, and not adequate to their Defence.

That the three Battalions of North Carolina Confœderal Troops which are now on that Service are composed of Militia draughted for Nine Months only, which Term with a great part of them will expire before the End of the campaign—with the remainder has commenced the begining of this present month.

That all the other force now employed for the defence of the Said States Consists of Militia from them and the Neighboring States who from the remoteness of their Habitations, and the difficulties attending their Service, cannot be relied for Continued Exertions, and a protracted a War.

That the State of South Carolina as represented to your Committee by the Delegates of the Said State, and by Coll. Huger who has come hither at the request of the Governor of the Said State on purpose to explain the particular Circumstances thereof is unable to make any Effectual Efforts with her militia by reason of the great proportion of Citizens Necessary to remain at home to prevent Insurrections among the Negroes, and to prevent the desertion of them to the Enemy. That the State of the Country and the great Numbers of those people among them exposes the Inhabitants to great danger from the Endeavours of the enemy to excite them either to revolt or desert.

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That it is Suggested to your Committee by the Delgates of the said State, & by Coll. Huger that a force might be raised in the said State from among the Negroes which would not only be formidable to the Enemy by their Numbers, and the disciplin which they would very readily admit of, but would also lessen the danger to the Inhabitants from revolts, and desertions by detaching the most Enterprising and vigorous Men from amongst the Negroes.

That as this measures may involve inconveniences peculiarly affecting the State of South Carolina your Committee are of Opinion that the Same Should be Submitted to the governing Powers of that State, and that if the said Powers Shall Judge it expedient to raise such a force the united States ought to defray the Expence thereof—upon a View of the foregoing Circumstances your Committee report.

MS (NcU: Burke Papers). In the hand of Thomas Burke.

[1] On March 18, 1779, Congress appointed a committee of five—Burke, Henry Laurens, Thomas Nelson, John Armstrong, and Eliphalet Dyer—"to take into consideration the circumstances of the southern states, and the ways and means for their security and defence," at the behest of South Carolina and its emissary Isaac Huger. The motion to appoint the committee was offered by Laurens; South Carolina's role in initiating the recommendation to raise black troops in the southern states is made explicit by Burke in this draft.

The committee submitted a report to Congress on March 25, at which time the delegates opened a debate on it that was continued on the 29th. The latter day Congress endorsed the committee's principal recommendations and adopted a number of resolves for raising black troops in South Carolina and Georgia at Continental expense, securing additional aid for those beleaguered states from North Carolina and Virginia and retaliating against residents of the Bahama Islands, from which privateers had recently been operating along the Carolina coast. *JCC*, 13:336, 374, 385–88.

In addition to this draft by Burke, two other key documents on this subject have survived: a draft committee report by Henry Laurens, and the committee's final report (in Burke's hand), upon which Congress' resolves of the 29th were based. See Henry Laurens' Draft Committee Report, this date; and PCC, item 20, 2:365–71. No clear evolution between these three texts has been discerned, however, and the relative contributions of Burke and Laurens to the committee's final recommendations can only be conjectured. For delegate comments on the proposal to raise black troops, see William Whipple to Josiah Bartlett, March 28, postscript; John Collins to William Greene, March 30; and John Armstrong to Horatio Gates, April 3, 1779. For other aspects of this committee's work, see Thomas Burke to George Washington, March 24, 1779.

[2] "Agreed" written in the margin at this point.

[3] "Agd" in the margin.

[4] "Agd" in the margin.

[5] "Agd" in the margin, and repeated adjacent to the next eight paragraphs.

John Fell's Diary

Thursday March 25th. [1779]

Commercial Committee. Congress. Debates ab't the Clothier General's department, Postponed till tomorrow.[1] A Report from the Delegates of So Carolina & Georgia, for Raising Battalions of Negroes to be Officerd by White Men and appointed by the Authority of the State, to be allowed 1000 Dolls for Ea.[2] NB. This morning Coll Frelinghuysen went home. 6 P M Marine Committee.

MS (DLC).

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[1] An ordinance for regulating the clothing department was adopted on March 23; there is no indication in the journals that the subject of the department was considered on the 25th. See John Jay's first letter to Washington of March 24, 1779, note 2.

[2] See the preceding entry.

John Fell to William Livingston

Dear Sir, Philadelphia March 25. 1779

I cannot help complaining to your Excellency of the behaviour of some of the Delegates from our State, Which is not only disgracefull to the State, but in my humble Opinion treating me with the greatest unpoliteness. They take upon them, to leave Congress when they Please & without leave, by which the State in course is not Represented. Last Saturday Dr Wetherspoon, went home without ever saying one word to me on the Occasion,[1] and this day Coll. Freelinghuysen went a way in the same manner.[2]

No Man has the Service of this Country more at heart, than I have, but then I should choose to be treated in such manner as I think I have a right to, as a Gentlemen; And I am certain such treatment from my Coleagues can not be deem'd in that line. Therefore I request it as a favour, that I may not be treated in like manner in future, to make my stay hear so exceeding disagreeable.

I Received a Letter this Week from Honble. Mr. Scudder dated 13th Instt. he wrote me he expected to be hear in about 6 Weeks from that date.[3] When Dr. Scudder comes I hope Your Excellency will have no Objection to my Paying a Visit to my family for a short time. As I have engaged to serve the State for the time of my appointment, I undoubtedly shall do it, to the best of my Power and ability. However I hope the Honble Assembly will Pay some Regard to the increase of Pay for my Service as every kind of Expence has advanced in this City upwards of 50 Per Cent since my Appointment. It is with great Reluctance I am under the disagreeable necessity, to mention a circumstance of this kind, but my Private fortune has Sufferd so much, from the great Losses I have met with, as well as my long cruel Captivity, that I shall not be able to Support the extraordinary Expence long.

I am certain there is no Member in Congress does more Duty than I do. Every morning at the Commercial Committee, afterwards at Congress, and three stated Nights in a Week at the Marine Committee besides Occasional Committees, in short there has been very few nights this Winter that I have not been engaged in Business. And not to be able to live, in the manner I have ever been used to, without spending my Own Money,

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as well as time, is rather too unreasonable for the Public to desire of an Individual.

I was exceeding happy to hear you was from home, when the Enemy came to Pay you a Visit, As I am certain you are not one of those Gentlemen, who they have the greatest Regard for. I should imagine Princeton or Trenton would be a much more Eligeable Place for Your Residence than Elizabethtown.

Your being taken, besides the many disagreeable circumstances of being a Prisoner, would be of the utmost bad Consequence, As I know of no Person, in Our Posession that you could be Exchanged for, however this subject is too melancholy to dwell on.

I have the Honor to be With great Respect, Your Excellencys, Most Humble Servt. John Fell

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RC (Nj: State Papers).

[1] For further information on John Witherspoon's irregular attendance, see Fell's Diary, January 8, 1779, note.

[2] Frederick Frelinghuysen had returned on March 11 from a ten-day leave of absence. See Fell's Diary, February 27 and March 11; and Frelinghuysen to the New Jersey Assembly, April 29, 1779.

[3] Nathaniel Scudder arrived at Congress on April 26. *JCC*, 14:512. While absent from Congress Scudder had attempted to keep his finger on the pulse of national events. But to judge from the following March 13 letter that he wrote to Henry Laurens, he had only limited success. "Is Common Sense," he inquired, "like to obtain a Seat in Congress according to my Prediction about the 7th or 8th of January, or is the House like to continue longer without it?

"I am very anxious to hear how our affairs stand in Georgia, and what may be depended on from Europe—We have such a Variety of contradictory Accounts, that I can place no Confidence in any Thing I hear, and I scarce see a News-paper in a Month." Slack Collection, OMC.

Henry Laurens' Draft Committee Report

[ante March 25, 1779][1]

The Committee appointed Report.

That from repeated declaratons made by The Commander in Chief of the forces of these States, it appears that ⟨*no reinforcements can with safety to the*⟩ it would be inconsistent with the safety of the Army under his immediate command to detach any Troops from thence to so great a distance as South Carolina.

That the State of Virginia hath not hitherto sent any succor to So Carolina & that there is no prospect of any considerable force going from thence.

That North Carolina ⟨*& Vir*⟩ hath detached considerable numbers of Militia to South Carolina & that by a Resolve of Congress of the[2]

The is directed &c

That the ⟨*Militi*⟩ Continental Battalions in So Carolina are great reduced by Sickness, death, Captivity & desertion & that the government of that State offered very high Bounties for recruits but with no favorable prospect of success.

That a Body of permanent Troops are absolutely necessary for the defence of So Carolina & recovery of Georgia.

That continuing the Militia or Yeomanry of So Carolina in the field for any considerable time will be attended with fatal consequences in the approaching Season, from Sickness, death, neglect of husbandry & mechanical employments & by affording temptation to Negro Slaves to rise in Rebellion or at least to desert to & strengthen the hands of the Enemy—

from these considerations Your Committee beg leave to recommend to the House,

to Repeat their former applications to the Governments of Virginia & North Carolina for sending all possible aid & succor to the States of So Carolina & Georgia & particulary to require that the Resolution of   be carried into effect.

Resolved[3] That it be recommended to the Governments of So Carolina & Georgia to consider of the necessity & utility of arming   able bodied Negroes either for filling up the Continental Battalions of those States or for forming seperate Corps to be commanded by White Officers commissioned & non commissioned[4] to be appointed by the Legislature or executive authority of the said States, or for both purposes

Resolved that Congress will make provision for paying the proprietors of such Negroes as shall be inlisted for the Public service during the War at a Rate not Exceeding   Dollars for each active able bodied Negro Man so enlisted,[5] of Standard Size and not exceeding ⟨*forty*⟩ thirty five years of age.

And Whereas it is Represented to Congress that The Bahama Islands are now Garrisoned by & under Military Goverment of the K of G B, & the Inhabitants of those Islands have of late fitted out many Privateers & armed Vessels for cruizing on the coasts of these States & that such Privateers & armed Vessels[6] have actually made prize of divers Vessels on the Coast of So Carolina, Resolved that the Resolve of Congress of ——— so far as it respects the said Bahama Islands be from & after the date of this Resolution[7] held be void & repealed to all intents & purposes.

⟨*Resolved that the Inhabitants of the Bahama Islands be & they are hereby declared to be in Enmity to these States & the said Inhabitants & their property Liable to seizure & condemnation as other subjects of the King of Great Britain are.*⟩[8]

MS (Nc-Ar: Secretary of State Papers). In the hand of Henry Laurens.

[1] For the background of this draft report, see Thomas Burke's Draft Committee Report, this date, note 1.

[2] A reference to Congress' resolve of February 2 requesting North Carolina and Virginia "to afford all possible aid to South Carolina and Georgia, of men, arms, and other necessary articles." *JCC*, 13:132.

[3] "Resolved" written by James Duane, as is the same word beginning the next paragraph. Duane's additions, as well as those of Samuel Holten designated in notes 4 and 7 below, are difficult to explain because neither delegate was a member of the committee that generated this report. Therefore, even though Thomas Burke was the chairman of this committee and the author of both the draft committee report mentioned in note 1 and the final report now in PCC, item 20, 2:365–71, Laurens' draft may have been the document the committee submitted to Congress and debated on March 25. *JCC*, 13:374.

[4] Preceding four words interlined by James Duane.

[5] Remainder of sentence added in the hand of Samuel Holten.

[6] In the margin: "agd," doubtless indicating that this paragraph had been "agreed" to during debate in Congress.

[7] In the margin: "agd."

[8] At the bottom of the final page of Laurens' draft, the following note appears in the hand of Samuel Holten. "Express to be sent to General Washington—and report on Governor Henry's letter defered until answer can be obtained."

John Penn to Richard Caswell

Dr Sir, Philadelphia March 25th. 1779.

At a time when you might have expected to hear great things, it will appear odd that I inform you, that I have nothing to communicate, unless to give you a hint, that we have some hopes that events may soon take place in Europe that will be of great advantage to America.

The General and Army are at Middle Creek in the Jersies halted, the Soldiers are in better health than they have been heretofore.

There is a report that the Enemy appear to be preparing to send off another detachment from New York, or to leave it altogether. I rather suspect they will endeavour to keep possession of that place & Rhode Island, as long as they can, and harrass us by sending parties to a distance.

If we behave with any degree of Spirit, I think this Campaign must be the last. Your favor to the Delegates is received and proper attention will be paid to the contents.

Enclosed are some newspapers, for your amusement. I have the Honor to be with great respect your Excellency's Mo. ob. Servt.

John Penn

Tr (Nc-Ar: Governors' Letter Books).

John Fell's Diary

Friday March 26th. [1779]

Commercial Committee. Congress. Letters, from the Chairman of a Committee of the Assembly & Execitive Council of Pennsylvania desireing a Conferrance with a Committee of Congress. Motion for Commiting the Papers Ys 5. Ns 5, 2 devided, 1 not Represented. Motion Per G

Morris that a Committee be appointed agreeable to the Request, Mr Smith moved as an amendmant the Committee of Council be struck out. Long debates 5 Ys, Ns 5. There ensue'd a long debate on order till Adjournd, an unhappy dispute, Occasiond intirely by means of Major General Arnold. 6 P M Marine Committee.

MS (DLC).

Samuel Holten's Diary

[March 26, 1779]

26. Friday. Mr. Gorham, Mr. Wales & Mr. Inches, a committee from the Genl. Court of Massa.-Bay arrived here.[1]

Ms (MDaAr).

[1] This committee had been sent by the Massachusetts General Court to Philadelphia to reinforce the state's request for permission to import flour from the southern states. Congress had, however, on February 26 already acted on the state's request by recommending to the southern states that they allow such imports, exempting Massachusetts and Rhode Island from the embargo on grain and flour. *JCC*, 13:257. See also Massachusetts Delegates to the Massachusetts Council, March 1, note 2, and April 1, 1779.

Henry Laurens' Notes of Debates

26 March 1779.[1]

G.M.[2] "By their publication they have directly & positively appealed to the Public & stand as the accusers of Congress to their Constituents, therefore (*assigning many reasons*) we cannot consistently with the honor & dignity of this Congress nor consistently with the regard we owe to our Constituents confer with the State of Pennsylvania, before they shall have made reparation" &c &c.

☞ in a second Speech—he compared the Power of the Executive Council with the Power of other States—"it was inferior to that N. York—& believed it was inferior to the Powers of many other States—he had known some Corporations of less Limitted powers."

Query. what are the States, but, so many self Created Corporations.

General Armstrong & Mr. M'Lean displayed the constitution & powers of the Executive Council.

G.M. after comparing powers as above—"I ask, if the Governor of this State had published such charges against Congress, would you confer with him, before you had vindicated your honor to the World & received some satisfaction—I trust not. I think I may answer for every Member present, there is not I am persuaded, a single Gentleman on this floor, who would venture to give his voice for descending so far below the dignity of this

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House." "I don't know what the publication is, I have heard of it but I have not seen it."

Mr. Lovell reminded him of S. Deane's publication of the 5th December & the conduct of Congress thereon.

G.M. replied—"The Cases were not similar (or parrallel), but granted, a thousand wrongs don't make one right, if we did wrong in the Instance let us take care to avoid doing wrong again."

M.S.[3] "If I have been abused & traduced & held out in Print to the Public, shall I as an individual submit to a conference with the Man or any set of Men who have used me in that manner—No Sir! I don't know the powers of Congress whether it extends to expulsion, but I will sooner be expelled & turned out of that door, than submit to give my voice in favor of so disgraceful a measure (or conduct). No Sir, Let us publish & vindicate our conduct first, to the World, before we talk of conference."

J.P.[4] Would any Gentleman in private life, after he had been abused by another Gentleman, enter into a conference before he had received satisfaction. No! I am sure I would not, I don't know what other Gentlemen's feelings may be, I speak for myself. I can't answer it to my state, consistently with the honor & dignity of those who I have the honor to represent.

G.M. I think, I am sure that publication, ought to be taken under consideration of a Committee & narrowly scaned, before we talk of conferences.

There are such things as preliminaries to treaties, which are necessary to be established before the Treaty is entered upon. If we have done wrong let us acknowledge it before we confer, if we have been wronged let us not confer before we receive satisfaction. I have no Idea of compromising quarrels. I am for following Shakespear's advice, "beware of entrance to a quarrel; but being in, bear't that the opposer may beware of thee."[5]

W.H.D.[6]—supported these doctrines, & voted accordingly, talked of the duty of every Man to know & to feel his own dignity.[7]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens, and endorsed by him: "Speeches in Congress, 26th March 1779, against conferring with the Executive Council of Pennsylvania."

[1] This day Congress read a letter of March 25 from a joint committee of the Pennsylvania Assembly and Executive Council requesting "a free conference with a committee of Congress upon divers transactions of that honorable body, which may have a tendency to interrupt the harmony and confidence so necessary for the common interest of this and the United States." *JCC*, 13:374. The request immediately encountered opposition, and a motion was offered by Gouverneur Morris to refer the letter to a committee, apparently to avoid taking direct action upon it. The speeches recorded in these notes by Laurens were doubtless made during debate on Morris' motion, which was lost when the states divided equally, although Congress resumed consideration of the issue on the 29th and appointed a committee of five to confer with the Pennsylvania authorities. The requested meeting was actually held the evening of March 30, and William Paca, the committee's chairman, reported the results of it to Congress on April 1. Two days later Congress adopted a series of resolves designed to restore harmony and bring the crisis with the state to a close. See *JCC*, 13:374–78, 389–90, 409, 412–17; and *Pa. Council Minutes*, 11:730.

The Pennsylvania request seems to have been triggered by the prospect that Congress would soon adopt the report that had been submitted on March 17 by the committee appointed to investigate the state's charges against Gen. Benedict Arnold. Since the committee had found insufficient evidence to support six of the state's eight charges against Arnold and suggested that the Pennsylvania Council had been uncooperative when called upon to furnish evidence to the committee, officials apparently concluded that some unusual measure would be required to improve relations with Congress. According to the council's minutes of proceedings, the state's congressional delegates—John Armstrong, James McLene, Frederick Muhlenberg, and James Searle—"spent several hours in conference with the Council on the situation of Public affairs" on March 22, undoubtedly to assess the prospects for preventing an open rupture with Continental authorities. And two days later a joint session of the Pennsylvania council and assembly was convened to discuss "A Report of a Committee . . . not yet adopted by Congress [*but containing*] very extraordinary resolutions, and such as must reflect his [Arnold's] dishonor on the State, & possibly affect the Union & harmony of the whole." See *JCC*, 13:324–26; *Pa. Council Minutes*, 11:724, 726; William Paca to Joseph Reed, March 3; and Paca to the Pennsylvania Council, March 9, 1779.

Although the conduct of General Arnold was the immediate occasion for this rupture in Pennsylvania's relations with Congress, the impasse had its origins in a number of incidents going back more than a year, which in the eyes of Pennsylvanians constituted a pattern of Continental disregard and insensitivity to the state's interests and dignity. The striking sweep of the state's grievances can be seen in the following document, which contains a summary of the issues reviewed by its conferees during their meeting with the committee of Congress on March 30. It is in the hand of Charles Thomson and is endorsed: "Complaint of Prest. & Council of Pennsylva ag. Congress."

"The points stated by the joint Committee of Council and Assembly as comprized in their representation of the   instant to the honble Continental Congress & more fully opened to the honble. comee. of that body.

"(1) The interference of the Members of that honble body in the internal affairs of this state generally alledged as one cause of the unhappy disputes thereof, shewn in particular instances by the proceedings of Mess Govornieur Morris and   Harvie on the twenty fourth day of Jany 1778—and in the appearance of the former gentleman in a dispute between the contending parties of this state before the house of Assembly at their last session to the great dissatisfaction of the inhabitants of Pensylvania, who suppose the delegates of the united states sent here to attend the affairs of the common Union, not to advocate the measures of any party.

"(2) The inattention of that honble. body to the complaints of the state in public abuses and indignities offered by their officers to the authority of the state, and the want of redress of such abuses when laid before them—illustrated

"1. In the case first mentioned, the council having complained through their delegates of such interposition without effect.

"2. For that complaint having been made by the council of safety of the great abuse of public waggons by Robert Lettis Hooper junr depy. quarter master general to the board of war in Jany or Feby 1778, that board without giving any hearing to the council to support their charge heard Mr Hooper's story supported by ex parte affidavits & acquitted him, the council then sitting at Lancaster and the complainants and witnesses being in Northampton seventy miles off unacquainted with any such proceeding.

"N.B. The papers respecting this point being in a committee of safety are not yet in the possession of this comee. and not having obtained from the board of war their proceedings owing to the other business of that board and the shortness of the notice this matter is offered on Memory.

"3dly. The said Hooper presuming upon this favourable reception fell upon the attorney general of the state who had ex officio drawn up the said representation and beat him—but not satisfied with this wrote a letter to the honble. Governieur Morris esqr a member of Congress on a committee sitting at the Valley forge, boasting of the said exploit and that as he had horse whipped the Attorney genl he proposed to go through with the Council and should not stop at the president of the state. Which letter was publickly shewn by the said

Mr Morris to the commander in chief and others. But being demanded by the delegate of Pensylvania [Joseph Reed] as a high insult to the state was refused upon the allegation of its being a private letter.

"4th. For that a committee of Congress consisting of Mess Witherspoon, G Morris & Reed having been appointed on some letters of the late quarter master general a well authenticated complaint was made supported by a number of Affidavits that when the army at Valley forge was in the most deplorable condition for want of food and the means of transportation, a number of public waggons under the direction of the said Hooper were sent to Boston drawing public provisions & forage, carrying private property viz bar iron & flour and returning with salt, sugars and other merchandize likewise private property. Upon which the comee. then consisting of Mess Witherspoon & Morris reported that there was reason to believe the complaint was well founded, which report delivered last October remained unnoticed a long time and yet does for ought we can learn and Mr Hooper still continues an officer of much employment under the united states.

"5thly. For that in the most distressing situation of the frontiers last summer Congress having been pleased to take measures for their relief and the secretary of Congress being possessed of necessary papers he declared in indecent terms that he would not deliver them until the council should find a house for him to reside in. Upon which Council having complained of the indignity as well as the injury it was referred to a committee and no farther notice taken thereof or satisfaction given to this hour.

"6thly. For that the Council of Pensylvania having complained to Congress of the abuse of the public waggons of this state on the 25 Jany. by Major genl Arnold & requested to cause the said officers command to cease in this state, as had been done in the case of other states, the said request was not granted, but the said general Arnold was permitted to continue therein & insult the authority of the state in weekly publications without any notice of Congress.

"7thly. For that the council having requested upon the exhibition of the said charge, that the said general Arnold might be detained within the state from which he was departing, till the said charge could be examined, Congress neglected or declined to pay any attention thereto, the said council being wholly ignorant when the said officer would return or whether ever.

"8thly. For that a committee of that honble. body having been appointed to examine into the said complaint on the 26 Jany they proceeded thereon hearing the said general Arnold and examining his witnesses without notice to the state or giving any Opportunity to cross examine the said witnesses or hear the said defence; Whereas the state gave due notice as well to the said general Arnold as the said committee of the time and place of examining & council attended on the part of general Arnold.

"9thly. For that the said comee. delayed reporting on the said charge until March instant, whereas on complaints from other states redress had never been delayed beyond a few days.

"10thly. For that this council having sent papers to Congress respecting genl Arnold & tending to prove his culpability in the article of giving passes to disaffected persons, out of three papers delivered two only could be recovered, the others having been lost by the chairman of the comee. to whom they were intrusted.

"11thly. For that the council in the execution of the resolves of Congress of the 9 Feby & 21 of August 1778 having been opposed and indecently treated by the officers of Congress and complaint made, no support, redress or satisfaction hath been given.

"12thly. For that in the course of last summer a delegate in Congress from the state of New Jersey appeared as an Attorney in behalf of John Roberts then under a charge & since executed for high treason.

"The joint comee. also cannot forbear noticing the reception of ex parte affidavits taken by general Arnold's aid du camps not merely to exculpate him, but to convey insinuations upon other persons not the subjects of any complaint which however unintended to affect the character of others has not the appearance of fairness and candor." Charles Thomson Papers, DLC.

For additional information on the incidents referred to in the first, second, and fifth complaints summarized above, see these *Letters*, 8:640-42, 659-60, 10:57-59; and Charles Thomson to Joseph Reed, March 21, 1779.

[2] Gouverneur Morris.

[3] Meriwether Smith.

[4] John Penn.

[5] *Hamlet*, act 1, sc. 3, lines 65-67.

[6] William Henry Drayton.

[7] For the continuation of this document, see Laurens' Notes of Debates, March 29, 1779.

Marine Committee to William Aylett

Sir March 26th 1779

On Application being made to you by William Smith Esquire we desire you will deliver to him or to his Order at Baltimore or Such place as he may direct 500 Barrels flour to be put on board the Schooner General Arnold for the use of the Navy in the Eastern Department. We also desire that you will make immediate Provision of the Bread and meat kind for five Continental Frigates and deliver the same when you shall be called upon by Messrs. Maxwell & Loyal[1] for that purpose and we recommend secrecy to you with All persons as to the use for which those provisions are intended. We are Sir, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The Marine Committee this day wrote the following letter to James Maxwell and Paul Loyall alerting them to the prospective demands for provisions from William Aylett.

"As it is very probable that some of the Continental Ships of war will put into Chesapeake Bay for Provisions and their Commanders will call upon you for Supplies, in that case we desire you will without any delay apply to Colo. William Aylett Deputy Commissary of Purchases for what they may Stand in need of in the Provision way to whom we have given the necessary orders on that head. It is highly necessary that the Commissioners of the Navy Board at this place whom Congress have appointed to do the executive part of the Navy business in the Middle Department should be constantly & minutely informed of your proceedings in the public business you are carrying on, we desire that you will correspond with them in every thing relative to that business and that you will follow such directions as they may think proper to give you." PCC Miscellaneous Papers, Marine Committee Letter Book, fol. 205.

Marine Committee to John Beatty

Sir March 26th 1779

At the time the Continental frigate Delaware was taken by the enemy, there was on board of her a Negro Man named Tom the property of Mr. William Hall of Port Penn in the State of Delaware. We are desirous of having this Negro restored to his owner, and request you will propose to the Commissary of Prisoners on the Part of the enemy that he be exchanged for a Negro Man now at this place the property of Captain Hawker taken with the crew of the British frigate Mermaid.

We are Sir, Your hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to the Eastern Navy Board

Gentlemen March 26th. 1779

Since our last of the 20th instant which went by Express we are favoured with yours of the 9th instant.[1]

We had so favourable an Opinion of the plan which you had proposed to be executed by the Ships lately gone to Sea that we have determined to pursue it.[2] We therefore desire that you will Speedily as in your power fit out and despatch the frigate Boston with orders to sail to the Southward and join the other Vessels that have been sent to Cruize on the Southern Coasts, carrying your Orders when she joins Said Vessel to proceed the whole in Company to execute the plan proposed by your Board in your letter of the 26th of February last with this variation, that instead of Sending two ships to the West Indies that the whole be directed to Cruize in company so as to intercept Transports coming from Europe to New York. We observe that you do not mention the Confederacy—possibly she may not have sailed when this gets to hand—and that the Boston may be ready to proceed with her to the southward which would be a great Security, should that be the case you will judge as you think best. We make no doubt but you have directed a proper system of Private Signals by which the Vessels may know each other.

We are Gentn, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The board's March 9 letter to the committee is in the Eastern Navy Board Letterbook, NN.

[2] The Eastern Navy Board had proposed sending several Continental vessels on a cruise to the "Southern Coasts" and the West Indies in their February 26 letter to the Marine Committee. Ibid.

Marine Committee to William Smith

Sir March 26th. 1779

We are favoured with your letter of the 22d instant advising the arrival of the Schooner General Arnold Captain Obe at Senepuxent from Boston. We have this day written to William Aylett Esqr. Dy Commissary of Purchases in Virginia to deliver to your order 500 Barrels flour at Baltimore for the purpose of lading this Schooner; and we send you enclosed an Order from the Commissary at this upon the Deputy Commissarys in Maryland for the same quantity and for the same purpose least any dificultys should happen. We request you will immediately order the Schooner to take in the flour and Iron remaining at Senepuxent and proceed round to Chesapeake Bay to compleat her Cargo. We would prefer lading her with the most Southern flour, but we wish you to pursue that plan which in your judgement will be productive of the most despatch.

We shall pay your drafts for any advances you make or will remit you money just as you may find convenient.

We are Sir, Your hble servants[1]

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Another item of Marine Committee business was transacted this day by its secretary John Brown, who sent the following brief note to William West (1724-1808), a Philadelphia businessman, who was apparently the owner of the building rented by the committee for its quarters.

"I am favoured with your letter of the 20th instant," Brown wrote, "which has been laid before the Marine Committee who have ordered me to inform you that they dealing not in hard money, would be glad to know how much Continental Money you will take for the Rent of your Bank House after the present Contract is expired." PCC Miscellaneous Papers, Marine Committee Letter Book, fol. 212.

John Fell's Diary

Saturday March 27th. 1779.[1]

Commercial Committee. Congress. Letter from Major Genl. Arnold requesting the Report of the Committee to be taken up, on which the Report was Read, and the Papers, Letters &c that Passed between the Committee and the Execitive Council after which a Motion was made that Genl Arnolds affair be Postponed, and the Motion of Yesterday taken in to consideration for a Committee to meet a Committee of the Assembly and a Committee of the Executive Council in Conferrance. Ys & Ns Carrd in the Affirmitive, then M Smith moved after a long Speech, that the Chair be requested to call on Each Member to know if they have Receiv'd any intelegence from any foreign Court, in Europe and Particularly from England Ys & Ns carrd in the Affirmitive, All No.[2] Mr Lovell moved for Mr Aken to Print the Journals, debate about the Propriety of Printing the Yas & Nas & the Ys & Ns calld for on the Question carrd in the Affirma. I was No. I think they are very often Ridicolous.

MS (DLC).

[1] This day Connecticut delegate Joseph Spencer took his seat in Congress pursuant to his appointment by the state assembly "in the room of Andrew Adams, Esqr. resigned." He apparently continued in regular attendance until September 17, 1779, when his name last appears in the journals on a roll call vote. See *JCC*, 13:378, 15:1081-82. His claim for "my service attending the Contl. Congress from March 15th to Septemr. 28th, 1779, both inclusive, 198 days at 18s per day—£178.4," clearly includes his travel time to and from Philadel-

phia. His account was approved by the Connecticut Pay Table Office, February 22, 1782, Revolutionary War Collection, 1st ser. vol. 33, Ct.

For discussion of the limitations of the journals of Congress as evidence for determining the date of Spencer's arrival, see also Gouverneur Morris' Proposed Resolves, March 22? 1779, note 1.

[2] All of the delegates apparently responded negatively when called upon by the chair "to declare upon their honor" whether they had received any private intelligence from abroad. See *JCC*, 13:380–81.

John Jay to Alexander McDougall

Pha. 28 March 1779

Dear Sir

I have the Pleasure of acknowledging the Rect of your Favor of the 21st Instant.[1]

Your Sentiments on the Subject of it coincide perfectly with my own. Great Prudence is necessary & Care should be taken in what is committed to Paper. Discoveries often arise from Letters meeting with Accidents which the wisest could not have forseen or the most wary have suspected. The fewer Parties the better.

I am Dear Sir with great Esteem & personal Regard, Your obt Servt.

FC (NNC: Jay Papers). In the hand of John Jay.

[1] McDougall's March 21 letter to Jay, recommending Elijah Hunter of New York, who wished to confer with Washington about becoming a double agent, is in Jay, *Papers* (Morris), pp. 578–79. For Washington's March 25 and 28 letters to McDougall reporting his conversation with Hunter, see Washington, *Writings* (Fitzpatrick), 14:291–92, 304.

Although Washington was at first skeptical of Hunter's proposal, Hunter quickly demonstrated his ability to obtain intelligence from within the British lines. A letter from McDougall to Washington of May 23, 1779, enclosing a May 21 report from Hunter on his recent visit to New York City, is in the Washington Papers, DLC.

John Jay to George Washington

Philadelphia 28 March 1779

Dear Sir

The less is written on the Subject about which the Bearer[1] will confer with you, doubtless the better. It may be proper however for me to inform you, that I have known him well for many Years. In my opinion he is an honest man, and firmly attached to the American Cause from the Commencement of the present Troubles. I have seen his Conduct in several Instances directed by generous Sentiments of Honor, and a liberal Pride. He by no means wants Sagacity or Experience in the Ways of Men. His Circumstances as to Property are good, rather easy than otherwise.

I am dear Sir, with great Esteem & personal Regard, Your most obedt Servant

John Jay.

RC (DLC: Washington Papers).

[1] Elijah Hunter, for whom see the preceding entry, note

William Whipple to Josiah Bartlett

My Dear Sir No 11 Philadelphia 28th March 1779

Some days ago I hastily acknowledged the receipt of Your favor of the 20th Ulto.[1] I am fully of Your opinion, & was at the time that the Good effects of calling in the two Emissions will be in a great Measure Marred by Exchanging them, but you know the best Political systems are often destroyed by one stroke of bad Policy.

I believe I sent you some time ago News papers containing the Laws you mention respecting the Estates of *Refugees* (as you call them). (You'll pardon the criticism, but I never liked the word as applid to those People nor can I like the Epithet used by the Massachusetts assembly viz *Absentees.* Those people have either fled from justice or deserted the Cause of their Country & therefore I think are more properly to be called *Fugitives* or by some other epithet more descriptive of their true Charecters.) You say you have not the vanity to think N.H. the fitest State to take the lead in this business; I will not pretend to say, who ought to take the lead, but every State should judge of their own circumstances, and pass such Laws as the scituation of their affairs require.

Great dangers may arrise from placing too great confidence in men who are not Heartily attached to the Independence of America. Such charecters shod be watched with the most jealous Eye, but there are another set of people that we are to apprehend great danger from; I mean those who entertain principles repugnant to Republicanism; such undoubtedly there are in every part of the World & it will be happy for N.H. if such charecters do not insinuate themselves into Your councils & by their baleful influence weaken the foundation of that noble fabric (which I suppose you are about to erect) & render it unworthy the acceptence of the Goddess to whom it ought to be dedicated. That Heaven may guard my Country against the influence of such false Patriots is the most fervent wish of Your very affecte Friend and Most Humle Sert. WW

29th. Your favor of the 27th Feby is just come to hand. The Report of the dispatches with proposals of peace &c is without the least foundation. this is only a Tory Tale calculated to put people off their guard & slaken their exertions in the insuing Campaign.[2] I believe I informed you in some of my former letters that the last accots from Europe Breathed nothing but War. Tho' I do not believe they would persue the plan were it not for the unhappy scituation of our Currency & the Flattering accots they have had of our dissentions, these circumstances have encouraged them to try another Campaign; but I hope notwithstanding the many difficulties we have to encouter we have still virtue enough left to withstand their utmost efforts. Indeed I have not a doubt but we shall succeed but still every exertion is necessary to recruit, & put the Army on a respectable footing.

Mr. Frost intends to leave me in about a fortnight. I wish to know who is to take [h]is place, also when I may expect to be releived. My anxiety for the determination of some important matters will induce me to tarry as long as my constitution will bear this Climate, but I do not think it possible for me to tarry longer than May.

The last accots from S. Carolina were favorable. A recommendation is gone thither for raising some regiments of Blacks,[3] this will I suppose lay a foundation for the emancipation of those poor wreches in that Country, & I hope be the means of dispensing the Blessings of freedom to all the Human Race in America. Adieu, Yours &c, WW

RC (NhD: Bartlett Papers).

[1] See Whipple to Bartlett, March 23, 1779.

[2] Bartlett's February 27 letter to Whipple is in the Peter Force Collection, DLC, and Josiah Bartlett Papers, microfilm, NhHi. Bartlett had written: "Report here says, that the *Mifflin*, privateer that arrived at Boston some time since from France, had brought some important dispatches for Congress, containing proposals of peace and such as could not be rejected by Congress. I heartily wish it may be true as I am tired of the war but doubt the truth of the report."

[3] See Thomas Burke's Draft Committee Report, March 25? 1779, note 1.

Committee on Appeals Decree

March 29th. 1779.

Jonathan Tredwell &c
Lib[ellan]ts & App[ellan]ts
vs Aaron Lopez &c. App[ell]ees
Appeal from
the State of
Rhode Island[1]

We the Commissioners appointed by the honorable Congress to hear, try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the Matters and Things set forth in the Record or Minutes of the Proceedings of the Court aforesaid in the above Cause as the Arguments of the Advocates of the respective Parties in the above Appeal Do thereupon adjudge and decree that the Appeal of Jonathan Tredwell &c entered in the above Cause be dismissed with Costs And that the Judgment or Sentence of the Court of Admiralty aforesaid pronounced and published in the said Cause be in all its parts confirmed and established And we do adjudge and order that Jonathan Tredwell & the Appellants pay unto Aaron Lopez &c. the Appellee in the above Cause two hundred and eighty Dollars for his Costs and Charges by him expended in supporting and sustaining the Sentence of the said Court of Admiralty against the said Appeal &c. Wm Hy. Drayton Wm. Paca

John Henry William Ellery

MS (DNA: RG 267, case no. 37). In a clerical hand, and signed by Drayton, Ellery, Henry, and Paca.

[1] The Rhode Island Admiralty Court had ordered the schooner *Hawke* and cargo returned to its owner, Aaron Lopez, a Newport merchant. The *Hawke* had been captured by Capt. Jonathan Tredwell while sailing north from Jamaica to an undisclosed destination. Tredwell

appealed the case to Congress, which referred it to the Committee on Appeals on October 26, 1778. As the committee in this decree "confirmed" the judgment of the Rhode Island court, Tredwell's appeal was dismissed and the appellants were ordered to pay Lopez's costs in supporting his cause during appeal. See *JCC*, 12:1064; case file no. 37, RG 267, DNA; and Stanley F. Chyet, *Lopez of Newport; Colonial American Merchant Prince* (Detroit: Wayne State University Press, 1970), pp. 164–70.

For a companion case involving Lopez, see Committee on Appeals Decree, April 10, 1779.

James Duane to Mary Duane

Philad 29th March 1779

I am Just, my dearest Polly, returnd from a Visit to our Brother & his Lady[1] who enjoin me whenever I wrote to present their affectionate Regards to you & our Daughter. Our friendly Sister often repeats the Satisfaction she expects to find in the Society of a Relation who she says has a first place in her Husbands Heart. On my part I really expect it will contribute to our Social Happiness: our Brother whom I so lately thought in a declining Way is free from Complaint and gathers Health and Spirit daily: the Anxiety, which too much oppressed him, for his Jamaica Estate has subsided, & he enjoys the greatest Tranquillity of Mind. When I visit them we ride out as much as the Time will admit—and I find the Benefit of it myself. I do not know when I enjoyd better Health for which I cannot be sufficiently grateful to the Almighty. May he graciously dispense the same Blessing to you, our dearest Children & Friends! Make my Duty, Compliments & Blessing Acceptable to them all in their respective Relations.

I shall write to you again soon And in the Meantime, beg you will believe me to be with all possible affection—My dearest Polly, your faithful Husband,

Jas Duane

[*P.S.*] The enclosd is from Bror. Robert. Be pleasd to deliver it. I am not in the way of news papers: but will [solicit?] & forward some the next Conveyance.

RC (NHi: Duane Papers).

[1] Robert Cambridge Livingston and Alice Swift Livingston.

John Fell's Diary

Monday March 29th. 1779.

Coml. Committee. Congress. Motion for taking into consideration the Raising Negroes Troops in So Carolina & Georgia. Repeal of the Resolve relating to the Bahama Islands.

Motion for appointing the Committee of Conferrence, with the Execitive Council & Assembly of Pennsilvania. A Motion Per M Smith of a very extraordinary nature Respecting himself and the Commercial Committee, Over Ruled.[1] Committee appointed to conferr, Mr Paca, Root, R H Lee, S Adams & Mr Laurens.

NB. Motion that all the Members of Congress now in Town may be Requested, to attend this House at 10 OClock on Morning, to Consult and endeavour to fix a Proper Plan for Raising the Credit of Our Money. Not Seconded.

MS (DLC).

[1] Meriwether Smith's "extraordinary" motion was not recorded in the journals, but it is in PCC, item 36, 1:16, and bears the following intriguing endorsement by Charles Thomson: "Motion of Mr M Smith, offered, March 29, 1779, But not accepted, another motion which was made previous to it, being preferred." No evidence has been found concerning the previous motion, but John Jay later insinuated that a plan to replace the commercial committee with "a commercial Agent for the States" was blocked by defenders of William Lee. See Jay to Washington, April 26, 1779. Smith's motion reads:

"Mr. M. Smith informed Congress that he had repeatedly given it as his opinion that the Commercial Affairs of these united States were in a disgraceful Situation—that the present Mode of conducting them by a Committee of Congress was attended with Dishonour & Injury to the Credit & Interest of these States—that he found himself called upon by Duty to repeat what he had before said, and to give it as his Opinion, that Supplies, nearly equal to the Necessities of the Army, from any Exertions of the Committee of Commerce ought not to be relied on or expected, and requested that he might be excused from serving upon the said Committee."

Henry Laurens' Notes of Debates

29th March. [1779]

G.M.[1] absent.

Mr M.S., J.P. & W.H.D.[2] repeated almost verbatim their former words in the opposition. At Length it was intimated to them—

H.L.[3] "The danger of refusing to confer—

That to appoint a Committee to confer with a Committee of the Assembly & reject a Committee of the Council would convey an affront more gross than a total rejection.

That it was to be feared the Council had causes to complain of some deficiencies, some delinquencies on the part of Congress—that Instances might be recollected—

Danger of shifting the ground of dispute.

Gentlemen had talked of an affrontive Publication by the Council at the same time confessed they had not seen it, but admitting they had & that each Member had read it—Congress as Congress had never seen it—the House knew nothing of it in their Parliamentary capacity—& therefore had no ground for conclusions & Resolutions &c &c H.L.

The Question put, see Yea & Nay.

☞It is remarkable, these Gentlemen who were extremely eager for quarreling with the State of Pennsylvania upon a supposed affront by a

Publication which they had never seen—were the Men who proposed & carried the Vote for conferring with Silas Deane Esqr. after having had his affrontive Publication of the 5th December laid before them & complained of in a regular Parliamentary course & which they had refused to take under consideration.

Nothing can more clearly demonstrate Party spirit of the most dangerous tendency than this inconsistency of conduct.

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens. A continuation of Laurens' Notes of Debates, March 26, 1779.

[1] Gouverneur Morris.

[2] Meriwether Smith, John Penn, and William Henry Drayton.

[3] Henry Laurens.

Richard Henry Lee to John Page

Dear Sir, Philadelphia March 29, 1779

I am honored with your favor of the 19th and thank you for it.[1] I always thought too well of your wisdom and justice to suppose you could be influenced by the most groundless, illdesigning, and improbable calumnies that were ever devised by wicked minds.[2] From the most intimate confidential correspondence, and from the best information, I have abundant reason to be satisfied that both my brothers in Europe are as firmly attached to the independance and happiness of America as any Men that breathe the vital air. I should detest them if I thought otherways, or had any reason to think of them than as I have above expressed. A strict adherence to duty, active services for their Country, and opposition to public peculation has drawn this calumny on them.

Mr. Ford being such a man as you describe,[3] and having with him authentic documents to prove that he had been confided in by one of these States might well impose upon Dr. Lee who was an utter stranger to any misconduct that he had been guilty of here. I will answer for it, that he wont remain an hour in his employment after the Doctor knows his character. I shall be greatly concerned indeed if we have been so unfortunate as to have lost the military Stores that you expected.[4] But since Dr. Lee does not mention any thing in his letters to me about having shipped them, and not having seen any mention of such capture in the N. York papers, I yet hope they may be safe. 'Tis true the number of privateers that avarice and enmity have equipped from N. York & Bermuda to cruise on our trade is very great indeed. I think by their list they amount to more than eighty. Some Frigates are ordered to clear our Coast of these Rovers, and I hope they will be successful. But this destination of our Frigates ought not to be made public. I wish with all my heart we had any important intelligence to communicate to you. I know of none, unless what I have before written, that we have very good reason to know that our enemies have no prospect of aid of any kind from any European power to assist them in their war against us. Holland seems much disposed to us, at least Amsterdam is securely with us, and that is a powerful part of their Union. The King of the two Sicilies has opened his ports to us,[5] and the English themselves publish that Spain has notified to the Court of London that she will join France if the former does not acknowledge the Independence of America & make peace. But such is the destructive obstinacy and wickedness of our enemies, that they appear determined to try another Campaign, and therefore our efforts should be exerted to reenforce our Army with all possible dispatch. The malice of our foes must recoil upon their own heads, if we are but wise and take the necessary precautions.

I am dear Sir yours with much affection and sincerity,

Richard Henry Lee.

RC (John F. Reed, King of Prussia, Pa., 1971). Addressed: "Honorable John Page esquire at Williamsburg in Virginia."

[1] Page's March 19 letter to Lee is in the Lee Family Papers microfilm, ViU.

[2] In commenting on the Deane-Lee affair, Page had reported that he and most of the people he knew found the charges against Arthur Lee to be groundless, although there were still "some Suspicions of Dr. Lee's being too much attached to his English Friends."

[3] Page had repeated the charges leveled by Gov. Patrick Henry against Hezekiah Ford, Arthur Lee's secretary, in Henry's letter of January 9 to the Virginia delegates in Congress. An extract of this letter is in the Lee Family Papers microfilm, ViU. See Committee for Foreign Affairs to Arthur Lee, January 26, 1779, note 1.

[4] Page had also charged that that "very great Rascal" Ford was responsible for "our losing the valuable Cargoe of Military Stores which we have payed for in France & I believe were shipped in Sepr." Yet, Page was "perfectly satisfied that the Doctr. has not the least Suspicion of his Villainy."

[5] See Richard Henry Lee to Patrick Henry, February 28, 1779, note 2.

William Whipple to John Langdon

My Dear Sir, Philadelphia 29th March 1779

Your two favors of the 1st and 8th inst. came to hand this day: the contents have been answered in several of my former letters—I mean those parts that respect your want of supplies.

If you suspect that the backwardness of the supplies is in any degree chargeable to my inattention, I will venture to say you do me great injustice. Conscious that no part of my public conduct is, or ever has been influenced by Sinister views and being also conscious that my feeble powers have ever been exerted for the public weal, I say guarded by this impenetrable Shield, I feel not the points of any complaints that may be levelled personally at me. I am truly grieved at every cause of complaint, many of which would vanish if individuals would duly consider the many, very important matters that demand the attention of the governing (or rather the leading power) of this extensive country.

I am very sorry you declined (or that it was out of your power) to comply with the requisition of this Navy Board;[1] my view in procuring the order was that you might be furnished with a supply of provisions for public service and that the inhabitants in case of necessity, might also derive some benefit from the accession.

The situation of the paper medium is a matter of very serious concern: there is no one, but views it in that light and are sensible of the necessity of a remedy for the evils: but the great difficulty is to persuade a sufficient number of men to think alike on the subject—this I trust may some time or other be got over and I still feast on hopes that in due time we shall Surmount every difficulty. Nothing would contribute more to this desirable event than a restoration of public virtue to the State it displayed five years ago; but as that is hardly to be expected, we must go on and combat the frailties of mankind and every incidental evil till Nature in her due course produces such a convulsion as will effect a cure beyond the reach of human wisdom.

I congratulate you on the addition to your family—what a son! Ha! Well! I suppose there is no looking on you now without a smoked glass—be that as it may, please to give my kind regards to the lady within the curtain and tell her I wish her as much of that kind of work as she desires and that all her labors may be productive of real happiness. Please to assure her that these wishes proceed from the most sincere esteem and regard of her as well as, Your affectionate friend, & most hble servt,

Wm. Whipple.

Tr (DLC: Peter Force Collection).

[1] The Marine Committee had sought vessels from Langdon to transport flour and iron from Pennsylvania and Maryland. See Whipple to Langdon, February 9; and Marine Committee to the Eastern Navy Board, February 10, 1779.

John Collins to William Greene

Sir: Philadelphia, March 30th, 1779.

Congress passed a resolution yesterday in regard to the Bahama Islands, which you may see in the enclosed paper.[1] On Saturday, they resolved to raise 3000 black soldiers out of the states of Georgia and South Carolina, and pay one thousand dollars a head for them. As the State of Rhode Island raised a black regiment, the accounts of which, I suppose are not yet settled, I thought it proper to give you this information.[2]

I am, sir, with great regard, your most obedient, humble servant,

John Collins.

MS not found; reprinted from William R. Staples, *Rhode Island in the Continental Congress, 1765–1790* (Providence: Providence Press Co., 1870), p. 216.

[1] Congress repealed a provision of its July 24, 1776, resolve exempting ships and property of residents of the Bahama Islands from seizure on the high seas. See *JCC*, 5:605–6, 13:388

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[2] The Rhode Island delegates continued throughout the year to press Congress for compensation for the state's black soldiers but without conclusive results. See Rhode Island Delegates to William Greene, April 13, June 29, and September 28, 1779.

William Ellery to John Sullivan

Dear Sir Philadelphia March 30th. 1779.

I received your letter of the 28th February last with Genl. Prescott's certificate. I am satisfied, from the wording of it, that neither Crossing nor Corey were, properly speaking, commissioned-officers of the Crown of Great-Britain at the time they were employed in the maroding, kidnapping Business for which they have been sentenced to die by the judgment of a Court martial.[1] The Question with me is not what kind of powers those powers were, which they received, and were lodged in the possession of Genl. Prescot; nor why they were so lodged; nor how they have been always consider'd. The plain Question is whether they are commissioned Officers of the Crown of Great Britain in the same sense and to every intent purpose as other British Captains & Lieuts are? As I have already said I am satisfied they are not. I imagin their future commissions depended upon circumstances which had not taken place at the time they undertook their expedition. I do not mean to argue on this subject. They have escaped, and I imagin will neither be retaken or returned. Suppose the Sentence of the Court martial should be confirmed! Do you think General Prescott will deliver them up to be executed? I should think not. If they have got to the Island they will abide there, at least until the determination of Congress shall be known; and when this will be I know not, for great & important matters are now on the tapis.

I read that part of your former letter which respected money matters to some of the members of the Treasury board, who told me that not long before a considerable Sum had been transmitted to the Paymaster.[2] I made out an extract from the letter I am now answering and deliver'd it to the Treasury board, which produced Money sufficient I hope to answer the present exigencies of the detachment, two or three day before the arrival of the Paymaster. I believe it would be well hereafter that He should write to the Treasury board, at the same time you write to them and point out the Sum wanted and for what purposes. I shall always with great cheerfulness execute your requests.

You forgot, Sir, to make the inquiry after Francis Brindley I desired you to make;[3] or, if made, to communicate the result of it. I have since been informed by the Chaplain to Glover's Brigade that he was married to the Widow Lawton, who acts as a Matron to the Hospital, by Mr. President Manning. If this should be true I would be much obliged to you if you would procure a certificate thereof and transmit it to me, that I may hand it to Brindley's wife who is a worthy woman.

Please to inform me what number of troops there are on Rhode Island & what Number of ships there are in the harbour of Newport. It is reported here that Adml. Gambier is gone from New York with his heavy Ships to Newport. It is also reported that Count De Estaing had received a reinforcement of Six Ships of the line and had sailed to attack St. Lucia. What think you, Sir, of another attack on Rhode-Island? Americans can make three hits I believe as well as Britons can stand them. A brilliant stroke this campaign might produce an honorable peace. I wish you could make it; for I wish you all the honour that can be acquired by a gallant officer, being with the highest Sentiments of esteem,

Dr Sir, Yr most obedt. Servant, William Ellery

RC (MH-H: Sparks Manuscripts). Endorsed by an unknown hand: "Letter from Mr. Ellery to General Sullivan Open'd by Order by Gen. Glover dated Philadelphia 30th March 1779." General Sullivan had left Providence on March 29 for army headquarters in Middlebrook, N.J., to take command of the expedition against the Six Nations, leaving Gen. John Glover acting commander of Continental forces in Rhode Island. Sullivan, *Papers* (Hammond), 2:556-57.

[1] For the court-martial of William Crossing and Francis Corey, see John Fell's Diary, January 4, note 1; and Ellery to Sullivan, January 24, 1779.

[2] See Board of Treasury to John Sullivan, March 31, 1779.

[3] See Ellery to Sullivan, January 24, 1779, note 2.

John Fell's Diary

Tuesday March 30th. [1779]

Commercial Committee. Congress. A Number of Letters, and one from Mr Gerrard to hasten the Plan for Treaty.[1] Agreed to an Ultimatum for the Fishery, which I am afraid will involve us in a Continuance of the Warr. Motion Per R H Lee 6 Ays 5 Nos, 1 devided, 1 not Represented, NB New Jersey.[2] 6 P M Marine Committee.

MS (DLC).

[1] This March 31 memorial of Conrad Alexandre Gérard, which was endorsed by Charles Thomson—"Letter from M. Gerard minister plenipotentiary of France March 30, 1779 read the same day"—was only one of several written by Gérard urging Congress to come to a decision on its peace ultimata and to select a minister plenipotentiary. See PCC, item 94, fols. 148, 182, 186-88, 225-32, 251-53; and Wharton, *Diplomatic Correspondence*, 3:106-7, 154, 156-58, 175-78, and 194-95.

A copy of the memorial Gérard submitted this day located in the Henry Laurens Papers, ScHi, contains the following revealing endorsements in Laurens' hand. "Directed to the President of Congress, Read in Congress 31st March, 1779. Very displeasing to some of the Members, and laid by without debate or any order on it." "Mr. Gerard to Congress 31st March 1779 an Insult sought for and invited by Members of Congress."

[2] For the action Congress took on the "Ultimatum" this day, see Gouverneur Morris' Proposed Resolve, March 22? 1779, note.

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Samuel Holten's Diary

[March 30, 1779]

30. Tuesday. I dined with the president of Congress. I wrote to Mr. Hancock, Capt. Batchelder, Mr. Wadsworth & Mrs. Holten (No. 48).[1] Congress sit late.

MS (MDaAr).

[1] None of these letters has been found.

John Jay to Joseph Reed

Sir, Philadelphia 30th March 1779.

I have the Honor of transmitting to your Excellency herewith enclosed two Copies of an Act of Congress of the 29th Inst. on the Subject of a conference with the Assembly & executive Council of Pennsylvania.[1]

I am, With great Respect, Your Excellency's Most Obedt. Servant.

P.S. Copies of the Depositions of Majors Clarkson & Franks are also enclosed.[2]

LB (DNA: PCC, item 14).

[1] It is not clear just what Jay may have enclosed concerning "an Act of Congress of the 29th Inst," but for the "conference" at issue, see Henry Laurens' Notes of Debates, March 26, 1779, note 1; and *JCC*, 13:389-90.

[2] Not found. But for a declaration by Benjamin Paschall, a Philadelphia justice of the peace, that Matthew Clarkson and David S. Franks, aides-de-camp to Benedict Arnold, had sworn depositions before him "about a month agoe . . . to prove that Major General Arnold did not purchase goods upon his coming into the City of Philadelphia other than for his own private use," see PCC, item 69, 2:47. These depositions had been requested by Reed in a March 29 letter to Jay. See *JCC*, 13:391. Reed's letter is in PCC, item 69, 2:35-36; and *Pa. Archives*, 1st ser. 7:270.

Maryland Delegates to Thomas Johnson

Sir. Philadelphia March 30th 1779.

We are to acknowledge the Receipt of your Excellency's Favor with its Inclosures—to all which we shall pay due Regard. I hope in a few Days to be able to give you the Information respecting the Commissary's Department which you & the Council desire.[1] In the mean Time we have the Honor to be with great Regard Sir Yr most obt hble Servants,

Geo. Plater

J. Henry Junr.

RC (MdAA: Red Books). Written by Plater and signed by Plater and Henry.

[1] The Maryland Council's March 26 letter to its delegates in Congress is in *Md. Archives*, 21:328-29. In it the council had suggested that emergency procurement measures might not

be required because it had received reports that "considerable Quantities of Wheat" had already been collected at mills in Harford and Cecil counties and that there were "large quantities of Flour" at the Head of Elk.

Board of Treasury to John Sullivan

Sir Philadelphia 31st March 1779

No application has been made to the Treasury nor to our knowledge to Congress for Money to pay the Army under your command untill the honorable Mr. Ellery presented us with an Extract from your Letter to Him.[1] In that Extract no Sum was specified: As it came to hand at a time when from a multitude of Drafts the Treasury was exhausted: This Board however did all in their Power to releive your Necessities by procuring an estimate of your wants from the Board of War and reporting a warrant for 600,000 dollars to be transmitted by that Board, which will we presume, be done in a little time, as every possible exertion is making for supplying the Army.

We have the honor to be with great respect, Sir, Your Most Obedient, Humble Serts
Jas. Duane Ch.
In the Name of the Board of Treasury

P.S. The Information from Mr Ellery was received by us the 19th Instant, an immediate application was made to the Board of War for an estimate of your wants, on the 22d we reported to Congress & on the 24th a Warrant Issued on the Treasurer for the sum above mentioned.[2]

RC (NHi: Horatio Gates Papers). Written by William Carmichael and signed by James Duane.

[1] See William Ellery to John Sullivan, March 30, 1779.

[2] See the first letter of John Jay to Washington, March 24, 1779, note 3.

John Fell's Diary

Wednesday March 31st. 1779.

Commercial Committee. Congress. A Letter from Thos Payne Read.[1]

A do from Govr Trumbull, to setle his Brothers Accts.[2] Committee on Commissary Trumbulls Accts Reported, that his Estate be Allow'd as follows to wit

½ Per Ct on all the Moneys laid Out, Yas & Nas Carrd Affirmitive
2½ Per Ct. on all Purchases made by himself, do do
½ Per Ct. on all the Money lay'd out. do even, Lost—
not finish'd.

Motion made per Mr Smith that Mr be appointed Printer for the Public and that the Journals be Printed in Sheets and sent to the Legislatures of the different States.

Dr Wetherspoon.[3]

MS (DLC).

[1] Thomas Paine's March 30 letter to Congress, which is in PCC, item 55, fols. 43-46, and *Deane Papers* (NYHS Colls.), 21 (1888):410-12, contained his complaint that he had been denied access to the written proceedings of Congress related to his case. See John Jay to Conrad Alexandre Gérard, January 10, 1779, note. According to a pseudonymous article in the *Pennsylvania Packet* of April 20, 1779, this protest by Paine led Congress this day to adopt a resolve ordering "that, for the future, the journal, except [for 'parts ordered to be kept secret'], be printed weekly and sent to the executive powers of the several states." See *JCC*, 13:395.

[2] The letter was not from "Govr. Trumbull," but from Jonathan Trumbull, Jr., the brother of the late Joseph Trumbull. *JCC*, 13:395.

[3] This reference to John Witherspoon, which appears in the margin of Fell's entry, apparently reflects the fact that Witherspoon returned to his seat in Congress sometime during this day's debates. Secretary Thomson recorded five roll call votes on March 31, but Witherspoon is listed only in the last two. *JCC*, 13:398-401.

John Jay to Certain States

Sir, Philadelphia 31st March 1779.

Enclosed herewith is a copy of an Act of Congress of the 29th Inst., recommending certain measures for the defense of the Southern States.[1]

I have the Honor to be With great Respect, Your Excellencys Most Obedt. Servant.

LB (DNA: PCC, item 14). Addressed: "To Governor Henry." Endorsed: "N.B. The like verbatim to Governors Caswell, Rutledge & Houston."

[1] *JCC*, 13:385-88. For the work of the committee that drafted the resolves enclosed with this letter, see Thomas Burke's Draft Report, March 25, 1779.

John Jay to Benjamin Lincoln

Sir, Philadelphia 31st March 1779.

You will receive this from the Hands of Lt Colonel Laurens. This Gentleman's Zeal for the American cause, & his Bravery in support of it, have induced Congress to honor him with the Commission he now holds. His Excellency General Washington has, in compliance with the Colonel's Request, consented to his joining in the defense of his native State, & it would be very agreeable to Congress that he should have a Command suitable to his Rank as soon as the Service in your Department will admit of it.[1] Permit me to recommend him warmly to your Attention, and to assure You that I am of the Number of those, who, from public, as well as personal Considerations, are sincerely disposed to promote his Welfare & Honor.

I am Sir, With great Respect & Esteem, your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] Secretary Thomson's official journal entry concerning John Laurens states merely that Congress resolved on March 29 to commission him a lieutenant colonel. The greater part of the original resolve on his appointment and a second resolve recommending him to General Lincoln were struck from the journals, but since the deleted portions are so similar to this passage in Jay's letter, it seems probable that Thomson altered the journal after Jay wrote this letter. See *JCC*, 13:388–89; and PCC, item 1, 21:123.

New York Delegates to the New York Legislature

Honourable gentlemen Philadelphia 31st March 1779.

We were duly honourd with your Joint favour of the 13th Instant,[1] and shall not fail to communicate to Congress. A measure, which in the Midst of your Distresses, gives an additional Proof of the Vigilance and Fortitude for which our State is so honourably distinguished among her Confederates.[2]

His Excellency our Governour is already apprized that the Conduct of the ensuing Campaign is in a great Degree submitted to the Commander in Chief; and that one of it's principal objects is the Defense of the Frontiers by the Chastisement of the Indians.

We apprehend that by a draft from our militia you have anticipated the general's Requisition; taking it for granted that he will stand in Need of an Aid of militia, as well from Us, as New Jersey and Pennsylvania; to cooperate with the Continental Troops, and give Efficacy to the Enterprize.

The Indians are cruel and wanton Aggressors in this War. To our State, which so long has cherished and supported them, they have done wide and extensive Injury. We have a Just Right to Reparation, and Security for their good Behaviour. The Example of the Southern States in compelling their Savage neighbours to make Cessions of Territory in Compensation for The Lives and Property they had destroyed appears to be worthy of Imitation. Whether it will be wise, on a Pacification, to suffer the revolted Tribes to reside to the Eastward of Niagara we do not decide: but if they should be treated with so much Lenity they ought at least to relinguish the Right of Soil in a large District to our State for the Use of the Individuals they have injured, & the Soldiers entitled to bounty Lands; and as an Equivalent to the Publick for all the Losses they have sustained in the Lives, Labour, and Property of their Citizens as well as their Actual Expences. It woud not be difficult to have a general Estimate formed of the Amount of those damages before the rising of the Legislature that it might be ready to be made Use of in a pacification, if our Efforts shoud be blessed with Success. We consider a Line in the 45th d. of northern Latitude thro' Morres point from Connecticut River to the Missisippi, to be our northern boundary, in the most limited View—A Boundary which, on a successful Issue of the War, must ultimately be fixed for our State; Canada being confined to its ancient Limits, no other State having a Claim of Jurisdiction to this Territory, and no Common Right, or Joint Interest, for the united States being permitted by the Confederation.

From the great Extent of our Jurisdiction it follows that we ought to direct our earliest Attention to the Cultivation of the Country towards Oswego and Niagara, and for this Purpose to acquire the Right of Soil as soon as it can be done on Principles of Justice. By the Possession of D'Etroit And Niagara we shall again acquire our valuable Fur trade in the fullest Extent: But those important Possessions must be held on a precarious and expensive Tenure while the intermediate Country remains a Waste Desart.

We cannot refrain from adding that in our Opinion little else will be wanting for the rapid Settlement of this fertile Territory than a Wise and liberal System for distributing the publick Lands. It is with equal Truth and Pleasure, we assure you, that our Constitution is applauded, and the Vigour of our Government, and the Steadiness & Fortitude of our People, amidst an uncommon Share of the publick Calamities, admired; and that many have expressed their Intentions to become our Fellow Citizens, and partake our political and commercial Advantages when the War shall Cease.

The Legislature of Pensylvania have thought fit to grant the Officers of their Quota of Contl Troops half pay for Life. This Circumstance alone will probably introduce the Question of the Propriety of such a Provision for All the Officers in our Army; And we shoud wish you woud feel the Pulse of our Legislature that in forming our Judgement on this Subject we may not be altogether unassisted by those it most materially concerns.

We have the Honour to be—with the utmost Respect—Honourable Gentlemen, Your most Obedient, humble Servants

FC (NHi: Duane Papers). In the hand of James Duane. Addressed: "Honble President of the Senate and Speaker of the General Assembly."

[1] This March 13 letter from Pierre Van Cortlandt, president of the New York Senate, and Walter Livingston, speaker of the assembly, pleading for help against Indian attacks, is in PCC, item 67, 2:174–75.

[2] For Congress' April 1 resolve endorsing New York's "spirited exertions" in defense of her frontiers and allowing Continental pay to militiamen raised by the state for an expedition against the Seneca Indians, see *JCC*, 13:402.

Committee of Congress to Jeremiah Wadsworth

Sir, Philada 1st April 1779

It is utterly impracticable for us[1] to do our Duty to the Public while we remain so entirely in the dark as to the Stock of Provisions which you have on hand. We are therefore to insist that you comply with an Order of the

Board of War of this day to send a Return as soon as possible.[2] If you cannot make it compleat let it be as nearly so as Possible and order your several Deputies to send us forthwith Returns of their stock and of their Contracts which we will lay before the Board of War to make out your Returns. I shall be glad that you will also inform us what orders you have to lay up Provisions in Magazine and what Quantities likewise the Demand for the use of the Army and Posts where no special Orders are given.

By order of the Committee, Gouv Morris

(Copy)

Tr (CtHi: Wadsworth Papers).

[1] That is, the committee "to superintend" the commissary and quartermaster departments.

[2] For Jeremiah Wadsworth's continued failure to provide Morris and the committee with the returns requested, see Mary-Jo Kline, *Gouverneur Morris and the New Nation, 1775-1788* (New York: Arno Press, 1978), pp. 150-53.

John Fell's Diary

Thursday April 1st. 1779.

Coml Committee. Congress. Letter from Genl Washington, Do from Leiut. Coll Zedwitz, Referrd to the Board of Warr. Letter from Lt. Govr & Speaker of the Assembly of New York to Raise 1000 Men for a Western Expiditon against the Indians agreed. Memorial from A. Edwards, to Join the Southern Army, Bd of Warr.

Leiut. Coll Bradford & Lt Col.   Muster Masters have leave
to Resign & nominated H. Rutgars Esqr and   in their Room.[1]

Report from the Board of Warr to Appoint a Clothier General with a Sallery of 10,000 Dolls Per annum to have 12 Rations, and forrege for 3 Horses. Postponed. Governor Trunbulls Proposal for taking Sailsbury Iron Works, not agreed to, Mr Whiteing to be Paid his Expences Per the Treasury Board.

Report from the Treasury Board for an Emission of 5,000,160 Ds. Mr Paca informd Congress of what Pasd at the Conferrence with President Reed. Accounts from New York, say they have taken to the Soward Gen Egbert, Coll McIntosh,[2] 33 Officers, 300 Prisoners, 300 Killd and 7 Peices Cannon. NB Marine Committee did not meet.

MS (DLC).

[1] This day Congress accepted the resignations of Lt. Cols. William Bradford, Jr., and George Noarth, deputy commissaries of musters, and nominated "in their Room" Henry Rutgers and Azariah Horton. Rutgers and Horton were formally appointed to these posts on April 6. *JCC*, 13:403-4, 425.

[2] Col. Samuel Elbert and Lt. Col. John McIntosh of Georgia.

Massachusetts Delegates to the Massachusetts Council

Sir, Philadelphia April 1st. 1779

We had the Honor of receiving by the Hands of Nathaniel Gorham Esqr. and others, a Committee of the General Court,[1] your Letter of the 1st of March.

Congress had before considered the Subject of it and come into Resolutions which we forwarded to you in Season. If any Thing further can be done for the Relief of the Inhabitants of Massachusetts Bay from the Distress they are under from Want of Bread, the Honble. Assembly may rely upon our utmost Exertions. We have also received another Letter by Express inclosing a Resolution of the Assembly relating to the Necessity of ascertaining the Powers of foreign Consuls in the American Ports. This we immediately laid before Congress, and the Matter is under the Consideration of a Committee.[2]

A Resolution yesterday passed which directs that the Proceedings of Congress from the 1st of January last, excepting such as require Secresy for the present, be published with all Dispatch and transmitted weekly to the Assemblies of the respective States.[3] This will enable us to comply with a former Instruction with Ease. The Printing of the Journals preceding the Time just mentioned will not be interrupted by this Resolution.

We are with Sentiments of Duty and Regard to the General Assembly, Sir, Your most humble Servants,

Samuel Adams E Gerry
James Lovell S. Holten

RC (M-Ar: Revolutionary War Letters). Written by Lovell and signed by Lovell, Adams, Gerry, and Holten. FC (NN: Samuel Adams Papers). In the hand of Adams.

[1] This delegation came to Philadelphia to reinforce the state's plea for permission to import flour from other states. See Samuel Holten's Diary, March 26, 1779, note.

Holten observed in his diary this day: "The come. from Massa. Bay Set out home. I wrote with my colleagues to the court. I wrode out." MDaAr.

[2] The question of the "Powers of foreign Consuls in the American Ports" had been raised by a Massachusetts General Court resolve of February 23, which had been referred to the Marine Committee on March 30. That committee recommended the appointment of a committee to prepare an agreement on "the powers and privileges of consuls in the ports of either nation," a course that Congress adopted on June 7. After Jean Holker, the French consul in Philadelphia, became embroiled in a commercial dispute, the French minister, Conrad Alexandre Gérard, submitted a memorial to Congress dated June 21 urging that an agreement be reached. However, Congress did not adopt a plan for a consular convention until 1782, and negotiations concerning its ratification continued to drag out through the 1780s. See *JCC*, 13:391, 14:696, 760; Wharton, *Diplomatic Correspondence*, 3:228-29; PCC, item 94, fols. 263-77; and Burnett, *Letters*, 8:185-86n, 347n.

The French consul in Boston, Joseph de Valnais, had worked actively at the outset to secure Massachusetts' adoption of a consular agreement, but he reported in a July 8, 1779, letter to Holker that Samuel Adams had successfully opposed the state action by arguing that it was a Continental and not a local issue. Jean Holker Papers, DLC.

[3] See *JCC*, 13:394-95; and John Fell's Diary, March 31, 1779, note 1.

Committee of Congress to the Maryland Delegates

Gen[tleme]n. 2d April 1779.

Notwithstanding our Endeavors we find it impracticable to lay before you a State of our Wants or to say what Supplies to them must be expected from the State of Maryland. The Measures taken to prevent the Commys. from Preying upon the Public meet our warmest Approbation. In order to lessen Difficulties and obtain a speedy and effectual Aid We shall limit our present Demand to 10,000 Barrils of Flour which we wish may be delivered in this City upon the best terms possible by the 1st. Day of July, as follows 2000 by the 1st of May, 2000 by the 1st of June and 5000 in that Month. The Greater [*the*] Quantity and the speedier the Delivery the more will the Public be benefited. Our Reason for wishing it delivered in this City is to avoid the horrid Train of Expences which are incurred by Transportation in the common Way.[1] We are your humble Servants, By order, Gouv Morris

RC (MdAA: Red Books). Written and signed by Gouverneur Morris.

[1] The Maryland delegates forwarded this letter with their April 6 letter to Gov. Thomas Johnson. The committee's continuing concern with the purchase of flour in Maryland can be followed in its April 21 and May 4 and 6 letters to Johnson.

John Fell's Diary

Friday April 2d [1779].

Commercial Committee. This being Good Fryday, Congress met an[d] adjourn'd.[1] NB. Marine Committee did not make a Board.

MS (DLC).

[1] This seemingly innocuous decision was reached only after a roll call vote was taken, at the request of Henry Laurens, on Gouverneur Morris' motion to adjourn, ten delegates voting no. *JCC*, 13:409–10.

Samuel Holten's Diary

[April 2-3, 1779]

2. Friday. Congress met, but it being what is called good Friday, congress adjournd without doing business.

3. Saturday. Congress sit late. I wrode out with honl. Mr. Gerry & Mr. Whipple.

MS (MDaAr).

John Jay to Benjamin Lincoln

Sir, Philadelphia, 2d April, 1779.

Although I have not the honour of a personal acquaintance with you, yet I am so well informed of your character as to believe you will always be happy in leading a young soldier to glory, and to afford him that countenance and protection which a brave and generous youth seldom fails to invite. Permit me, therefore, to recommend to you Major Matthew Clarkson, who is now going to place himself under your command;[1] and be assured that you will confer an obligation on me by becoming his friend as well as his general.

I am, with great respect and esteem, Your most obedient and humble servant, John Jay.

MS not found; reprinted from William Jay, *The Life of John Jay: With Selections from His Correspondence and Miscellaneous Papers*, 2 vols. (New York: J. & J. Harper, 1833), 2:34-35.

[1] When Clarkson was formally reprimanded on March 24, Congress had resolved simultaneously that he "be permitted to join the southern army, agreeably to his request." See *JCC*, 13:360-63; and John Fell's Diary, March 24, 1779, note.

Marine Committee to the Chevalier Morel de La Colombe

[April 2? 1779][1]

I have the honor to inform you from the Marine Committee, that the reason why you were not charged with dispatches from Congress for the Marquis de la Fayette arose from its having been rendered unnecessary by a change in the system of measures which had been spoken of previous to the departure of the Marquis, and of which change the Plepotentiary of the U.S. at Paris was immediately informed.

I have the honor &c

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

[1] Lee drafted this brief letter at the foot of one to him from La Colombe dated "at philadelphia, 2 April 1779." Whether Lee wrote it immediately after receiving the chevalier's note can only be conjectured.

The marquis de Lafayette had boarded ship at Boston in January to return home, expecting that his aides Presley Neville and Louis-Saint-Ange, chevalier Morel de La Colombe, would soon follow him to France. For Lafayette's expectation and their failure to return to France, see Lafayette, *Papers* (Idzerda) 2:221-22, 281n.3, 313, 315.

North Carolina Delegates to Richard Caswell

Sir. (No. 2.)[1] [April 2, 1779][2]

Altho the Congress a few days ago have passed several Resolutions stating the situation of South Carolina & Georgia to be such, that they are incapable of any adequate efforts for their own defense, & recommending to Virginia & North Carolina to make every further possible effort to raise forces for their assistance,[3] & altho, it appears exceedingly clear, that no succors can be Sent to them from the Main Army, or any other state, & altho' we have been since the beginning of the War, very much harrassed with efforts for our Southern Neighbors, under an Idea that they were internally too weak for their own defense, yet Sir, a late Vote in Congress has inclined us to believe, that our Country has been very much mistaken.

Mr. Laurens who from his long experience & intimate knowledge of South Carolina, for which he is a Delegate, must have the clearest & most adequate Ideas of her strength & resources, has not scrupled to vote, that no Peace shall be made with Great Britain even should our Independence be secured in the most unlimitted manner, unless the latter will acknowledge to the United States the right of fishing everywhere on the Banks & Coasts of North America, where France has no right, in as extensive a manner as when connected with the British Empire, altho' this includes not only all the Banks & Coasts of the United States, but also, all that extend from the limits of these States, as far as Britain has dominions or claims. He has voted also, that, even if our Allies should not be in a condition to assist us, in carrying on the War, yet we shall not make Peace without the above concession. Under the Ideas we always had, & which the Delegates from that State so very lately taught us to entertain of her weakness, we cannot account for such a vote. To prolong the War in which his Country if defenceless, as she has been represented, must be exposed to constant ravages and horrors, appears to us inconsistent with good sense or humanity. We therefore conclude that his Country is strong & powerful in resources, which are unknown to us, & that confident of this, he defies all those difficulties which arise from our decayed & almost anihilated Finances, our ruined Commerce, our want of manufactures, our obstructed agriculture, our wasted forces, & our slaughtered fellow Citizens, from our want of resources of Men, Arms, ammunition, provisions or equipments, difficulties which appear to us almost ready to overwhelm our exhausted Country.

Deeply regretting the many Evils to which our own particular State is exposed by her frequent efforts, for the defence of her southern Neighbors, & by no means willing to continue or increase them by new efforts, which may not be absolutely necessary, & persuaded from the above Vote of Mr. Laurens that the strength & resources of So Carolina must be equal to exertions necessary for carrying on the War, independent of our Ally, even for objects not immediately necessary to the whole, & but remotely if at all interesting to her; under the pressure of all these considerations we venture to suggest to you Sir, that any further exertions of our State may be very well dispensed with.

It is well known to you, Sir, as well as to us that our State is in no condition to make unnecessary exertions, that she is not able to carry on the War for objects which are not absolutely necessary, that her exertions for what are essentially necessary, have already exhausted & distressed her exceedingly.

We hope that you will concur with us in opinion that our Militia may return home as soon as may be, & that no more Battalions should be raised in our State for the purpose of being sent thither.

We were not surprized on this occasion to see the New England States vote for the proposition above mentioned. The object is to them peculiarly important, their Country from its situation & strength is secured in a great measure from the danger of ravages to which the Southern States from contrary circumstances are exposed, and nothing but a conviction of our being unable to carry on the War without the assistance of our Allies, who by their engagements are not bound to assist us in obtaining it, could induce us to decline it. But we were much surprized to see Pennsylvania & Delaware Vote for it, who of all the States are most injured by the War, & are as little as any Interested in Fisheries, the Improved state of Agriculture & the more flourishing circumstances of those States have made them the objects more immediately of military operations. Their commerce, which in Peace is exceedingly flourishing is entirely ruined by the War, their Husbandmen are harrassed with military services, their agriculture much decayed & their frontiers wasted or deserted. The necessaries of life at the most enormous prices, & a considerable part of their Country desolate & in ruins, yet those States thus circumstanced vote for the continuing the War, without Men, Money, Arms, clothing or Provisions! This must be infatuation or something worse. Tis time, Sir, for every State not thus extravagant to reserve her exertions, for her own particular defence.

We thought it our duty to give Your Excellency the above information, relying on your good sense that you will make such a use of this Letter as its importance deserve.[4] We have the honor to be with the greatest Respect, Your Excellency's Most obedt. humble Servts.

John Penn

Whitmell Hill

Thos. Burke

Tr (ScHi: Laurens Papers, no. 31). In the hand of Henry Laurens. Endorsed by James Lovell: "A true Copy carefully compared & examined with the Original, which I believe to be in the handwriting of one of the Signers John Penn."

[1] Numeral added by Laurens. This document is one of nine, dated from April 2 to 8, preserved by Laurens and pertaining to his dispute with the North Carolina delegates over his support of American claims to the northern fisheries.

[2] The evidence for this date is found in the following endorsement that Laurens appended to his transcript of the document. This endorsement refers to both this and the following entry, which Laurens copied at the same time: "Neither of these Letters dated—they were brought from the President's House by one of his servants, to mine. Friday 2d April 1779. I informed Mr. Penn & also Mr. Burke I would consider & answer them on Monday the 5th or sooner if possible. Answered the 4th having in the meantime been fully employed in Congress & in Committees."

[3] For Congress' March 29 resolutions requesting additional aid for the beleaguered states of South Carolina and Georgia, see Thomas Burke's Draft Committee Report, March 25, 1779, note 1.

[1] This letter was apparently never sent to Caswell. That it was composed simply to deter Laurens from insisting on making a claim to the fisheries a prerequisite of peace with Great Britain seems clear from the concluding paragraph of the following entry.

North Carolina Delegates to the South Carolina Delegates

[April 2, 1779][1]

Gentlemen

Considering that your State is always deemed so feeble in Internal strength and resources, that her defence when attacked must chiefly be performed by the Neighbouring States, and must fall more Immediately on North Carolina from her circumstances, and contiguous Situation.

Considering also that a Question now before Congress Involves the continuance of Hostilities, even tho' our Liberty, Sovereignty and Independence, absolute and unlimitted, as well in matters of Government as Commerce shall be acknowledged and secured, unless Great Britain will acknowledge a right of Fishing on all Banks and Coasts of No. America which were exclusively reserved to Britain by the Treaties of Utrecht and Paris, as fully as the Inhabitants of the Countries now composing the United States of North America injoyed when Subject to Great Britain; a right which we deem more Extensive than can with Justice be insisted on, and which our Allies by their engagements are not bound to assist us in Contending for, and which the Minister Plenipotentiary of France assures us his Court can not agree to continue the war for.

Considering also that in a late vote upon the Question alluded to, Mr. Laurens one of the Delegates from your State gave his voice for continuing Hostilities for the aforesaid object, even tho' our Allies should not be in a Condition to assist us from which we Infer, that he relies on a degree of Strength and resources in your State which is unknown to us, or on a mistaken Idea of the strength and resources of North Carolina. This long experience, and intimate knowledge of his own Country induce us readily to admit the former as the ground of his opinion. But we esteem it our Duty to inform you that in case of the continuance of the War for the aforesd. object North Carolina is not in a Condition to make any exertions for the Defence of So. Carolina, nor do we believe she will be inclined to make any.

We beg you to consider that in the event of the Continuance of the war your Country will probably experience all the calamities which can be apprehended from an Insolent, Relentless, Iritated, and Rapacious enemy, from your own Slaves armed against their former Masters, from the Savages excited to more bloody and merciless dispositions and conducted by leaders who have Inclination and Abilties to make their force and ferocity as effectual against you as possible.

Upon general matters we would not presume to lay our thoughts thus before you; how inadequate the resources of the Continent are to a continuance of war without allies, & what must most probably be the event

John Penn

we suggest not to you, your participation in the publick Councils make it unnecessary and improper; but upon a matter so supremely Interesting and which so peculiarly affects the lives and properties of the States which you & we have the honor to represent, in which may be involved Desolation To our Countries and the most unbounded Ravages and carnage to their Inhabitants of all ages and sexes, and which may fall with peculiar weight and Injury on the State we represent, upon such a matter we cannot dispence with offering you this official memorial, and we hope you will consider our Expostulation as flowing from the anxious Concern we feel for our Country and that it will have with you its due weight.

We inclose a Copy of a letter which we mean to address to the Govr. of our State, we wish the Conduct of your Delegates on this Important affair may supersede the necessity we deem ourselves under of sending it forward.[2] We have the Honor to be, Gentlemen, Your very obt. Servts.

J Penn

Whitmell Hill

Tho Burke

RC (MeHi: Fogg Collection). Written by Penn and signed by Penn, Burke, and Hill. Addressed: "The Honble Henry Laurens and W. H. Drayton Delegates for South Carolina." Tr (ScHi: Laurens Papers, no. 31). In the hand of Henry Laurens and numbered by him "No. 1."

[1] For the date of this letter, see the preceding entry, note 2.

[2] See the preceding entry, note 4.

John Armstrong, Sr., to Horatio Gates

Dear General. Philada. 3d April 1779

Several Weeks have passed since I designed the pleasure of writing you, waiting from day to day, in hopes of aproaching a little nearer some Short System of communicable Politicks, as well as of the intended dispossition of the Army; but must at last content mySelf with a little cruder imperfect detail.

Of the late communications from the French Minister to our House, however some circumstantial matters we cannot devulge must remain out of sight, the Substance I think you have aright to know Viz. In the mediation of Spain betwixt the Courts of France & England The Independance of America is by the Court of France made a preliminary, which if not acceded to by Britain, the Spanish Minister has intimated that his Court will not See that of France involved in War without assisting her;[1] hence arises a probability of Peace. inform'd as we also are that Britain has applyed to the Empress of Russia for Troops & repeated that application with proposals as flattering to Russia as they are degrading to Britain, with repeated refusal on the part of Russia. We Expect a Loan in hard money either from Spain or Holland, the City of Amsterdam being much in our favour. The King of the two Cicilies has Opened his Ports to America. France is Called to Mediate betwixt the Emperor & his Prussian Majesty, but insists that Spain be also taken into that mediation.

Thus we may Shortly have Some matters of importance to tra[nsact] with Spain as we have heretofore had with France and perhaps wth England which require certain preparatives on the part of Congress, and greatly enlarges the Circle of business under the Epithet of Foreign affairs.

The great depreciation of Our Money is truly allarming, a Subject [which] must again be immediately taken up. That of the Army has also long called for farther consideration. These three topicks require equal dispatch, yet have their constant interruptions not only from the daily dispatches on One branch or another of the publick busines, but also from the Spurious Sources of Pride, Ambition & intrigue for One purpose or another, whereby annimossitys, divisions & destruction of time must ensue—So that compared to Congress in its present attitude, I call the Army a Bed of ease, a Pillow of Down. General Arnolds affairs with the Civil powers of this State, has lost much of the Publick time, when half a dozen of polite or wise words, or Short plain & candid answer to the Supreme Council (authorized by Congress as they were to ask the questions) wou'd have prevented the whole at first. This disagreeable matter tending to interrupt the necessary harmony betwixt Congress & this important State is I trust chiefly Settled by means of a free conference requested by the Assembly & held betwixt a Committee of Congress & one formed out the assembly & Council of the State, in which for the publicks Sake, the Council generously gave up what they had considered as an insult agst. them, Some Other matters are refered to a Court Martial to be appointed by the Commander in Chief.[2] Mr. Dean is now Urging a final determination on his affairs, which I apprehend will prove vexatious. Common Sense if permitted has lately challenged him (Dean) to the Bar of Congress & that the doors be Open.[3] Open doors will not be allowed, yet perhaps both may be had. Poor Pane, not the most prudent man in the world, is excereted by a number & much out of the books of Congress, yet has most certainly brought various things neither reputable nor Salutary in our affairs, at least to a probable point of view, which otherwise wou'd have remain'd dormant. We must also have a Sudden Struggle on the point of Sending new Commissioners to Europe. Some are for recalling the whole that are there, others not—nor is it improbable that some may wish to be Sent from hence, who will not have the general Sufferage of the House. Congress have passed a resolve to raise & emansipate three thousand Negroes in S. Carolina & Georgia, pay, feed & Cloath them during the War. The proprietors to have from Congress 1000 dollars for each Negroe—Also to raise more troops in N. Carolina & Virginia for the Southern aid, a Regiment of Horse. I presume Blands or Bailors will also be Sent & if in Service will soon be melted down. The affair of the blacks is optional and Submitted to the Govt. of S. Carolina, it was moved by their own delegates. Young Coll Laurens is appointed the first Lt. Coll of the blacks which I consider as a noble proposal in that Young Gentleman. You have Seen the generous lead taken by the Assembly of Pennsa. in allowing aid in Cloathing &c and half pay during life to the Officers of their line. I wished this measure to have taken its rise in Congress, but that Body have lost the honr. of it, yet must every State in my Opinion now come into it. Two Excursions, or Expeditions If you will, I believe are intended, Northward & Westward, but the particular Objects &c are yet Secrets to me, the General being gone out of Town before I arrived. The Seneca Indians &c & perhaps Niagarra I fancy to the North, and Detroit to the West[4]—this last I predicted against last year, nor are my eyes much clearer yet. I don't think the Object adequate at present to the certain expence &c. Poor McIntosh Sits in an humble chair. His Officers & the Militia of two States agst. him, near two thousand Horses dead, and The march but well begun, where are the Horses & Forage now, or what sums wou'd procure them?[5] Yet must the Indians particularly the Northern be Chastised else the back Countrys are undone. Nothing from you has yet appeared in Congress, if anything hereafter Shou'd, convinced as I am you will ask nothing incongrous to reason & the publick good, I shall with pleasure contribute to your wishes—the present I consider as an unfavourable moment to ask anything that can be Omitted. We are deluged in business & other impediments, which at present require a friendly & political Vail. All the members even of your State, do not put up their Horses in the same Stable. I have yielded to my Sons wishes in Staying with you another Campaign,[6] fearing only the State of his Health, and the beginings of an Obstructed Liver, Symptoms whereof Several Gent. have thought he had, he is reluctant to preventative medicine, which error I wish he cou'd amend least it shou'd prove fatal. You are happy in the Company and good Offices of Mrs Gates & Son, to whom please to tender my respectful Compliments, together with Majors Armstrong and Price. I have the honour to be dear General, Your very respectful friend & humble Servt.

John Armstrong

RC (NHi: Gates Papers).

[1] See William Henry Drayton's Notes of Proceedings, February 15, 1779, note 2.

[2] For Pennsylvania's charges against Benedict Arnold and Congress' resolution of this date directing Washington to convene a court-martial to adjudge the charges brought against the general, see William Paca to the Pennsylvania Council, March 9; and John Jay to Washington, April 12, 1779.

[3] Thomas Paine had issued this "challenge" to Silas Deane in a public letter dated March 26, which was printed in the March 27 issue of John Dunlap's *Pennsylvania Packet*.

[4] Congress had resolved on April 1 to allow Continental pay to 1,000 militiamen recently authorized by New York for defense of the frontiers against the Seneca Indians. See New York Delegates to the New York Legislature, March 31, 1779, note 2. For the more extensive plans for offensive operations against the western Indians that had been in the making for some time, see John Jay to Washington, February 26, 1779, note 2.

[5] For discussion of the failure of Gen. Lachlan McIntosh's expedition against hostile tribes in the Ohio Country during the winter of 1779, see Harvey H. Jackson, *Lachlan McIntosh and the Politics of Revolutionary Georgia* (Athens, Ga.: University of Georgia Press, 1979), pp. 84–93.

For Washington's continued support of him despite rising criticism, see Gouverneur Morris to Washington, March 14, 1779, note.

[6] A reference to John Armstrong, Jr., who had been an aide to Gates since the previous spring. See C. Edward Skeen, *John Armstrong, Jr., 1758-1843: A Biography* (Syracuse, N.Y.: Syracuse University Press, 1981), pp. 6-7.

William Henry Drayton to the North Carolina Delegates

Gentlemen. Philadelphia April 3. 1779

Your Official letter directed to the Honble Henry Laurens & myself, Delegates for South Carolina, enclosing an open Official letter from you to his Excellency the Governor of North Carolina, was yesterday morning received & read by Mr. Laurens & myself.[1] The conclusions you draw from Mr. Laurens's Vote respecting the Fishery, without doubt may arise from the subject; but, Gentlemen, acquainted with the strength & resources of South Carolina, I beg leave to assure you, that State, when attacked as she now is, absolutely stands in need of the Sisterly aid of North Carolina, & that in a powerful degree. I think I may venture to assure you also, that upon the subject in question Mr. Laurens's constituents would be pointedly opposed to his Vote in the case. And, upon the whole, whatever has been, or may be Mr. Laurens's conduct on this question, I most ardently request, that you will not send your intended letter to the Governor of North Carolina, which, being sent, might greatly distress a State entirely in unison with you in opinion on the point in view, a State standing in need of your assistance, & sensible of your efforts in her favour.

With respect I have the Honor to be, Gentlemen, Your most obedt. & most humble Sevt. Wm. Hy. Drayton.

RC (Nc-Ar: Governors' Papers). Addressed: "The Honorable John Penn, Whitmill Hill & Thos. Burke Esqrs. Delegates for North Carolina."

[1] For these letters, see the North Carolina delegates' letters to Richard Caswell and to the South Carolina delegates, April 2, 1779.

John Fell's Diary

Saturday April 3d [1779].

Commercial Committee. Congress. Letter from Commissary General of Prisoners to Exchange Leiut Hale.[1] Letter from Capt Willing to be Exchangd Refer'd to the Marine Committee. Board of Warr Reccomend Lt Col Fleury and 3 others to a gratuity of 1000, 600, 500 & 400 Dolls. not allowd. Motion for taking into consideration the Report of the Committee on foreign affairs on Tuesday next in consequence of a Letter from Mr Deane. Board of Warr Reported that 12 Commissions be sent to Major

Genl Schuyler for the friendly Indians agreed. An Inspector to be appointed for the Batallions of Negroes to be Raisd in South Carolina and Georgia. No.[2] A very impertinent Letter from Thos. Payne stileing himself Historian—orderd to lay on the Table.[3]

Committee appointed to conferr with a Committee of the Assembly and a Committee of the Execitive Council of the State of Pennsylvania, Reported that they had finishd the Conferrance, (Happily) and that they had 4 different charges against Major General Arnold, which the Commander in Chief is directed to have try'd by a Court Martial vizt. for an abuse in orderding the Shops of this City to be Shut, for sending a Malitia Sargant for a Barber for his Aid, for Employing the Public Waggons for Private use, for.[4]

MS (DLC).

[1] Commissary John Beatty's March 31 letter to John Jay concerning the case of Lt. Christopher Hele is in PCC, item 78, 3:305–6. For Hele's case, see Henry Laurens to Beatty, November 7, 1778, note 1; and John Jay to Hele, February 16, 1779, note 1.

[2] For the Board of War's recommendation on appointing William Galvan "to the Office of Sub Inspector to the Battalion of Negroes proposed to be raised in the Southern States," see *JCC*, 13:418.

[3] Thomas Paine's April 3 letter to Congress, in which he had declared his intention "to furnish the United States with a History of the Revolution," is in PCC, item 55, fols. 47–50. In it he had complained of Congress' refusal to do him justice and asserted that Congress had no right "to pass Censure without a hearing." For the background of Paine's complaint, see John Jay to Conrad Alexandre Gérard, January 10, 1779, note. See also Charles Thomson's Statement, April 23, 1779.

[4] Thus in MS.

Henry Laurens to William Henry Drayton

Dear Sir No. 3. Chesnut Street Philadelphia 3d April 1779

You will find under cover with this—*the Letter* from the Delegates of North Carolina to the Delegates of South Carolina, and also their Address to Governor Caswell respecting and animadverting my conduct in Congress.[1] You had some knowledge of these Letters before we read them Yesterday Morning, therefore I request you will honor me with an explicit and candid opinion on the propriety of the measure which North Carolina has adopted on this occasion—if you Sir, approve of their proceeding I shall be glad of a conference with you on the important subjects alluded to.

I am open to conviction, and will change my late sentiments, when reasons shall be offered outweighing those which influenced the vote on my part which has given offence to the Representatives of a neighbouring State.

As the first mentioned Letter although directed to us jointly, respects only myself, you will be pleased to return it to me when you shall have again perused it—the other Letter you will send or deliver to the Gentlemen of North Carolina, or enable me to do so by transmitting it to, Sir, Your Most Obedient Humble Servant, H.L.

Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young.

[1] See the North Carolina delegates' letters to Richard Caswell and to the South Carolina delegates, April 2, 1779.

Henry Laurens to John Laurens

My Dear Son, Philadelphia 3d April 1779.

From you yesterday I went immediately to the important Committee appointed to confer with the State of Pennsylvania—I did not get to Bed till ¼ past one this Morning, this being the third successive break upon my Rule of life, I feel this Morning as if my life was breaking.

Were I to attempt to write to Mr. Gervais or to you fully on the subject which occupies your Mind James[1] would not get away these three hours. I shall therefore in a few words authorise you to do every thing respecting my Negroes that Mr. Gervais & yourself shall coincide in. I shall write by a Public Messenger on Monday who will probably overtake you in eight or ten days.

My Compliments to Capt McQueen, assure him of my best wishes in every thing that respects his honor & happiness, I have written as he desired to Governor Rutledge.

My Dear Son I pray God to bless & protect you,

Henry Laurens

[*P.S.*] Take great care of this News Paper for Mr. Gervais.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] Doubtless James Custer.

Francis Lewis to George Clinton

Dear Sir, Phil'a 3d April 1779.

I have been favoured with your letter of the 22d ultimo,[1] with the Inclosed Newspapers for which I return you my thanks.

On the 1st Instant Congress Resolved that the 1000 Men draughted out of the Militia of our state for the defence of the frontiers, should be on Continental pay & rations.[2]

By the last storm a Transport ship was drove on shore near Egg Harbour with about 200 British Troops, from Hallifax for N'w York of which only 44 saved their lives & are now prisioners in this City.

By advices from New York we are informed, that the enemy's troops in Georgia are very Sickly, & through the same Channell, that in the West

Indies Genl. Grant has been beat by the French, and We received advice yesterday from Head Quarters, that 14 Sail of British Transports were totally lost on Fisher's Island in the sound by the late Storm, by which means their expedition (supposed) against New London is rendered abortive.

The Express waiting obliges me to conclude with assuring you that I am with profound respect Your Obedient Humble Servant.

Fra' Lewis.

Reprinted from Clinton, *Papers* (Hastings), 4:685.

[1] Governor Clinton's March 22 letter to Lewis is in ibid., pp. 658–59.

[2] See John Jay to Clinton, April 4, 1779.

William Henry Drayton to Henry Laurens

Sir. Philadelphia. April 4, 1779.

Your letter of yesterday, was delivered to me, too late last night to be considered & answered before this morning. You do me the honor to request my explicit & candid opinion on the propriety of the measures which North Carolina has adopted, in consequence of your Vote in the affair of the Fishery: but, as the subject is new, of high importance, & you are well able to form a judgment, I beg leave to decline giving an opinion which there is no necessity I should hazard.

As to a change of your late sentiments upon the fishery, I cannot presume to expect it from any thing I can say. The subject was so fully handled in Congress, that there is nothing new to be said upon it: and it was with concern that I found, the arguments in the negative, did not, with you, outweigh those reasons which influenced you to support the affirmative. I return the letter to us jointly, as you desire. I shall to the Delegates of North Carolina present the copy of their letter to their Governor. And, I beg leave to add, that yesterday I answered, on my part, the official memorial, ardently requesting, that the Delegates of North Carolina would not send their intended letter to their Governor; & assuring them, that South Carolina when attacked as she now is, absolutely stands in need of the Sisterly aid of North Carolina, & that, in a powerful degree.

I am Sir, Your most obedient humble Servant.

Wm. Hy. Drayton

RC (PHC: Roberts Collection). Endorsed by Henry Laurens: "Wm. Hy. Drayton Esqr. 4th April 1779. Received & answered the same day." Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young and numbered "No. 4."

John Jay to William Buchanan

Sir, Philadelphia 4th April 1779.

Herewith enclosed is a copy of James Mather's memorial to Congress, and of an Act of the 30th Ult. on the Subject of it.[1]

I am Sir, Your most Obedt. & Hble Servant

LB (DNA: PCC, item 14).

[1] For Congress' March 30 order directing "William Buchannan, late commissary general of purchases . . . to cause justice to be done" to James Mather, see *JCC*, 13:393. Mather, a Chester, Pa., farmer, had petitioned Congress on February 1, 1779, for payment for 32 head of cattle taken by one of Buchanan's assistants in September 1777. Congress' directive to Buchanan was adopted pursuant to a recommendation of the "committee on the quartermaster's and commissary's departments," to which Mather's memorial had been referred on February 3. See *JCC*, 13:138; and PCC, item 41, 6:109–11.

John Jay to George Clinton

Sir, Philadelphia 4th April 1779.

Herewith enclosed is a copy of an Act of Congress of the 1st Inst, respecting the Body of men ordered by the State of New York to be raised for the defense of their Frontiers.[1]

I have the Honor to be, With great Respect & Esteem, Your Excelly's most Obedt. Servt.

LB (DNA: PCC, item 14).

[1] In a letter of March 13, 1779, the New York legislature had directed its delegates to notify Congress that Governor Clinton had been authorized to raise 1,000 men "by drafts from the militia" for frontier defense, so that Congress "may make immediate provision for their pay and Subsistance." Congress' resolve of April 1 had endorsed "the spirited exertions of the [New York] legislature" and ordered that Washington "be immediately informed of the said levy, and be directed to give orders for their pay and subsistence accordingly." See *JCC*, 13:402–3; PCC, item 67, fols. 174–77; and Jay to Washington, this date.

John Jay to Horatio Gates

Sir, Philadelphia 4th April 1779

Your Favor of the 15th Ulto. will be considered to morrow, & I shall immediately transmit to You whatever Resolutions Congress may enter into on the Subject.[1] Every Act of Congress respecting the Eastern Department has been duly sent, and You may rely on my punctual Attention to this as well as other parts of my duty.

I am not authorized to say any Thing of the Intention of Congress relative to the proposed Fortifications at Boston.[2]

The Scarcity of Bread in the Massachusetts-Bay is greatly to be lamented. In consequence of Representations on that Subject Congress have passed certain Resolutions which were immediately transmitted to the Council.[3]

John Brown was pardoned last Month. A Copy of the Act of Congress for that purpose was immediately sent to You.[4] I regret your not having received it—And to prevent further Delays, I now enclose another Copy, & shall direct this Letter to go immediately by Express.

I have the Honor to be Sir, Your most Obedient and very Humble Servant.

John Jay, Presidt.

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 13:419. Gates' March 15 letter to Congress, which is in PCC, item 154, 2:63–66, contained his opinion of possible routes for an expedition into Canada and discussed his correspondence with Washington on the subject, which reflected the strained relations that had long prevailed between the two generals. Jay made the following extract of it, which he sent to Washington under cover of a brief note dated "6th April 1779" and marked "Private." "The enclosed Copy of my Letter to General Washington of the 4th Instant," Gates explained, "in answer to his of the 14th Ulto. from Middlebrook, will give Congress a true Idea of my opinion, respecting our entering Canada, and the only Route which we can take with reasonable Hopes of Success. Individuals and not the public will be benefitted by an Expedition into Canada, by either of the routes from Albany. That of Co-os alone is practicable, but not without the Co-operation of the allied Fleet.

"General Washingtons Letter of the 14th Feby is enclosed. It being the only Letter I have received from his Excellency, since December, Congress will immediately judge of the Extent, or Limitations which it is proper to observe in their Instructions to me." Washington Papers, DLC.

Jay's covering note to Washington reads simply: "Mr. Jay presents his Compliments to General Washington, and encloses an Extract from a Letter in a certain Degree interesting." Ibid. Washington's lengthy April 14 reply to Jay's note reflected great sensitivity over how his correspondence with Gates might be interpreted and the intensity of Washington's feeling against him, which prompted even a sympathetic biographer to observe. "Was it necessary to employ 3500 words in order to demonstrate that Washington's dislike of Gates was justified and was as deep-seated as Gates's bias against his Commander-in-Chief?" See Freeman, *Washington*, 5:103; and Washington, *Writings* (Fitzpatrick), 14:108–10, 378–88. For Jay's soothing reply to Washington's heated letter, see Jay to Washington, April 21, 1779. "The Impression attempted to be made [i.e., by Gates], has not taken," Jay assured Washington. "It passed without a single Remark. Your Friends thought it merited nothing but Silence and Neglect. The Same Reason induced me to take no Notice of it in my Answer."

[2] See Massachusetts Delegates to the Massachusetts Council, March 1, 1779, note 3.

[3] See Jay to the Massachusetts Council, February 27, 1779.

[4] Although James Lovell had informed Gates of Congress' decision to pardon Brown, no documents have been found indicating that a copy of Congress' resolution was previously transmitted to the general. See James Lovell to Gates, March 9, 1779, note 3.

John Jay to Noirmont de la Neuville

Sir,

Philadelphia 4th April 1779.

I have the pleasure of transmitting to You herewith enclosed a Copy of an Act of Congress of the 1st Inst. by which You are permitted to serve the ensuing campaign in the Southern Army with the Pay & Subsistence, as well as Rank of Major.[1]

I am Sir, Your most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:407; and Jay to Noirmont, February 13, 1779.

John Jay to George Washington

Sir, Philadelphia 4th April 1779.

Your Excellency's Favors of the 24th, 26th, and 29th Ulto. have been received & communicated to Congress.[1] The enclosed is a copy of an Act of Congress of the 1st Inst, relative to a Body of Men lately raised by the State of New York for the Defence of their Frontiers.[2]

I have the Honor to be, With the greatest Respect and Esteem, Your Excellency's Most Obedt Servant. John Jay, Presidt[3]

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] Letters from Washington of March 24, 26, and 28 are in PCC, item 152, 7:199–210; and Washington, *Writings* (Fitzpatrick), 14:289–90, 295, 302. Jay apparently erred in acknowledging receipt of one of the "29th Ulto.," for according to the journals, letters from Washington of March 29 and April 2 were laid before Congress on April 5. See *JCC*, 14:384, 391, 402, 419.

[2] See Jay to George Clinton, this date.

[3] Jay also wrote a brief letter this day to Lt. Martin Eichelberger of Col. Thomas Hartley's 11th Pennsylvania Regiment informing him that Congress had accepted his resignation pursuant to his request. See PCC, item 14, fol. 79, item 78, 8:311–14; and *JCC*, 13:384.

Henry Laurens to Richard Caswell

Sir, Philadelphia 4th April 1779.

The Honorable the Delegates of North Carolina now in Congress, have shewn me a Letter intended by them to be addressed to Your Excellency,[1] in which they display very freely & as I apprehend very unjustifiably an Instance of my conduct in that Assembly. "I will hear the other party" has ever been a governing principle in my mind. No Man more convinced of the truth of this assertion in my own favor, than the Honorable Mr. Burke, Your Excellency will believe it too when you recur to my Letter of the 27th April 1778.[2] I am persuaded Sir, that I shall not find Your Excellency less impartial.

Were I in the present moment to attempt a vindication of that part of my conduct which has given the Gentlemen offence, I should Copy the bad example set by the Honorable subscribers of the Letter alluded to; I should join in the disclosure of a momentous subject now under deliberation, which I have pledged my faith & honor to keep secret.

But admitting, as the Gentlemen allege, that I am in error, admitting that my supposed mal-conduct arises from "Infatuation or something worse" does it follow that one State in our Union should be devoted to carnage, & the Interests of the other twelve essentially injured because South Carolina is so unhappy as to have one of her Delegates wrong-headed or foul hearted? Can we discover no medium? To speak a little freely Sir, in my turn, these Gentlemen of North Carolina appear to be under the government of Passion, I will not say *anything* worse. Are Men to be driven into measures by sophistry, misrepresentation & menaces? Could I have expected such attempts from Gentlemen whose daily & laudable boasts are,

"I am accountable to my own State & will be governed by my own Judgement."

"Fiat Justitia ruat Cœlum."[3]

"I have my own feelings & I am not answerable to any Man or set of Men but to my Self & my Constituents." &c &c &c &c &c.

One moments reflection Sir, I am persuaded will determine your Excellency's "good sense" to make "such an use of the Gentlemen's Letter as the importance of it deserves."

Were I to presume to give an *additional hint*, it would be to keep in Your Excellency's own breast a secret which the Gentlemen have obtrusively & unnecessarily thrust into it.

It is possible I may have erred in judgement, the Gentlemen in their attempt to correct the supposed error, have committed Acts, which appear to me in the glare of heinos Crimes. They have attacked the freedom of debate & suffrage. They have menaced a free Citizen in order to bias his Vote. They have advised the abandonment of an Innocent people to the rage of a powerful & merciless Enemy. They have recommended measures which if adopted will endanger the safety of the United States. And have they not sacrificed their sacred faith & honor to pique & resentment?

But Sir, I will disclose to Your Excellency a secret which I never promised to keep, It is a settled Plan & has been for some time past "to hunt me down." Were there any just cause, unjustifiable means for accomplishing the pious purpose, would not be resorted to.

The, "'vantage ground of truth" says Lord Bacon, "is an incomparable pleasure, 'tis an Hill not to be commanded & where the Air is always clear & serene" & beleive me Sir, I do consistently with truth add, that I have seen from thence particularly in late Instances, "The *Errors*, and *wanderings* and *Mists* and TEMPESTS in the Vale below." All this if my Address arrives alone will be a riddle; If the honorable Gentlemen shall think proper to send forward their Letter to Your Excellency, that will produce explication.

I have the honor to be, With the highest Regard & Esteem Sir Your Excellency's, Most obedient & Most humble Servant.

Henry Laurens.

RC (MH-H: Sparks Manuscripts). Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young and numbered "No. 6."

[1] See the letters of the North Carolina delegates to Richard Caswell and to the South Carolina delegates of April 2, 1779.

[2] See these *Letters*, 9:501–2.

[3] "Let justice be done, though heaven should fall." Henry T. Riley, ed., *A Dictionary of Latin and Greek Quotations, Proverbs, Maxims and Mottos, Classical and Mediæval* (London: George Bell and Sons, 1876), p. 124.

Henry Laurens to William Henry Drayton

Sir Chesnut Street 4th April 1779.

In the moment your Letter of this Morning was brought to my House I was going abroad, the moment of my return I sit down to make a proper acknowledgment of the receipt.

In my address of last Night I requested you would honor me with explicitude and candour in your answer. You are pleased to give a preference to illusion and ambiguity. You have declined giving an opinion, or holding a conference, which evinces that you not only "vote" but *act* "systematically," here you have drawn a line between us—henceforward I will neither receive from you, nor trouble you with a Letter of controversy but I will never with hold my voice in confirmation of any motion of yours in Congress nor my utmost support to your Measures out of doors where we may be jointly concerned, which shall appear to be conducive to Public good.

You have on "*your own part* ardently requested the Delegates of North Carolina not to send their Letter to their Governor" from an assurance that "South Carolina absolutely stands in need of the sisterly aid" of her Northern Neighbour. These Gentlemen have expressed sentiments which seem to be diametrically opposite to your assurances, and they have made the *conduct* of the *Delegates* of South Carolina the sine qua non of *their own*.

Did the Measures adopted by the Gentlemen of North Carolina point, in your view, Sir, to no higher an object than aid to a sister State, which it is neither in their Power to direct or restrain? Were you less affected by an attempt of violence upon the suffrages of free Citizens as well as upon the honor of all these Independent States, than you were by groundless apprehensions of temporary evils to your own? Do you think Sir, that *your* ardent requests can lull the Resolutions of those Gentlemen or warp their inclinations from the pursuit of a duty which they hold indispensibly necessary? Did not you feel a little for the breach of plighted faith and honor to keep secret deliberations upon a point, the disclosure of which may dash our infant Independence against the Stones? Or did you think me blind? Think, speak, and act Sir as you shall judge most convenient. I shall persevere in acting in all respects with propriety towards you, with diligence and fidelity in the common Cause of America, and with the most inviolable attachment to that State whose particular Servant I am.

I have the honor to be, Sir, Comprehending all proper Ceremonies,
Your faithful Colleague, (signed) Henry Laurens

Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young, and endorsed by Henry Laurens: "Mr. Drayton being asked by Mr. Adams how it happened that he always voted counter to his Colleague, replied—'We vote systematically.' As I always voted first and could not possibly determine on which side he would give his Voice, the System must have been Confined to himself." The "Mr. Adams" who had confronted Drayton on his consistent opposition to Laurens was doubtless Samuel, a longtime Laurens ally.

Henry Laurens to the North Carolina Delegates

Gentlemen, (No. 7) Chesnut Street 4th April 1779

On the 2nd Instant a Packet was brought from the President's House to mine, by one of His Excellency's Servants, containing your Official Memorial without date directed to the Delegates of South Carolina, and a Letter, also undated directed to Governor Caswell.[1]

After our adjournment Yesterday, and not earlier, I found leisure to take those Papers under consideration. I have attentively purused, and have Copies of them, and I have the honor of assuring you Gentlemen, their several contents have their "due weight" with me.

I sent those *excellent* Performances last Evening to my honorable Colleague,[2] not merely for his information, because *I knew* he had, a foreknowledge of them, but in hopes of obtaining from him what I had a right to expect, an explicit and candid opinion on the propriety of the Measure in which you have *committed yourselves*—but my honorable Colleage judged it most convenient to decline hazarding an opinion, or holding a conference on the subject—with *me*.

He has returned me the Official Memorial,[3] and promised to deliver the Governors' Letter to yourselves.

I have no inducements to offer which can possibly "supercede the necessity" for sending forward the Letter, your *own* "good sense" will probably supply the deficiency.

In return Gentlemen for your candor in shewing me your *calculations*, I shall present to you under this Cover a rough Copy of a Letter which I shall transmit to Governor Caswell tomorrow,[4] in order to anticipate the Poison by the antidote, unless your intermediate conduct shall render the Measure unnecessary. I have the honor to be, Gentlemen, Your very Obedient Servt.[5]

Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young. Numbered by Laurens "(No. 7)."

[1] See the North Carolina delegates' letters to Richard Caswell and to the South Carolina delegates of April 2, 1779.

[2] See Laurens to William Henry Drayton, April 3, 1779.

[3] See Drayton to Laurens, this date.

[4] Apparently a draft of Laurens' letter to Richard Caswell, this date.

[5] Although this is undoubtedly a copy of the letter that Laurens actually sent to the North Carolina delegates in response to their letter to him of April 2, another document in the Laurens Papers suggests that Laurens went to much greater lengths to prepare his reply to them than is apparent from this letter. For discussion of this intriguing possibility, see the following entry.

Richard Henry Lee's Draft of a Letter for Henry Laurens to the North Carolina Delegates

Gentlemen [April 4? 1779][1]

I have read your joint letter to the Delegates of South Carolina & its inclosure[2] with all the attention that they deserve, nor will you suppose I read them without such emotions as they are well calculated to produce.

I presume it will not be denied, that the interest of each state in the Union is essentially involved in the interest, safety, and prosperity of the whole. As little do I suppose it will be contested that the safety and security of the whole depends greatly upon Marine force, that this force cannot be obtained without Seamen, and that the North American fisheries furnish the United States their principal Nursery of Seamen. The importance of this object to maritime and commercial nations is so well understood, that it has been the fertile source of great contention between France and Britain, nations removed three thousand miles from these fisheries, and who besides their other numerous resources for Seamen, possess valuable fisheries near their own Coasts. How infinitely more important must this object be to these United States from its contiguity to their Shores, and from its being the capital source from whence we are to supply our future Navy. The acknowledgement of our Independency by Great Britain is one thing, and the secure possession of that independency is another. The former may result from the present distress of our Enemies and the accumulated force opposed to them. But the latter must be maintained by the proper strength of the United States.

If when Massachusetts Bay, Rhode Island, New York, Pennsylvania, and the Jersies were invaded by such force as threatened the ruin of these States, they had offered to treat with the common enemy, in terms injurious to the interests of our States, or to the Union, we should not have thought such local and selfish considerations however powerfully pressed, a sufficient justification for a perfidious desertion of the Union, by offering to withdraw their aid from an opposition to the Common foe. Having considered this important subject in all the lights my judgement could place it, I agreed with the proposition for stating it as an Ultimatum "that the right of fishing on the Coasts and Banks of North America be reserved to the United States as fully as they enjoyed the same when subject to Great Britain, excepting always what shall have been excepted by the treaty of Paris between France and the United States—The whole to be explained by the Treaties of Utrecht and of Paris with Great Britain, and of Paris with the United States."

I have yet heard no reason to change my opinion and I hope gentlemen you will not imagine that a Mind resting on the strong ground of reason and public utility can be shaken by arguments in terrorem however highly colored.

But I will proceed to consider such parts of your letter as you seem principally to rely on for justifying what I cannot avoid esteeming a very strange and unusual proceedure. I call it strange and unusual for the Delegates of one State to attempt depriving those of another of their free right of voting in Congress by arguments drawn from threats of yielding their Country a prey to the enemy if they shall differ in opinion upon questions of great and general concern. You have thought proper to write the Delegates of S.C. that the questions above stated and on which I voted in the affirmative involves "a right which we deem more extensive than can with justice be insisted on, and *which our Allies by their engagements are not bound to assist us in contending for, and which the Minister Plenipotentiary of France assures us his Court cannot agree to continue the war for.*" The first of this paragraph is matter of opinion on your part, which a Majority in Congress have already determined against, and the latter part of the same paragraph I will take leave to contrast with the following authentic documents.

1st. The 8th article of the Treaty of Alliance.

"Neither of the two parties shall conclude either Truce or Peace with Great Britain, *without the formal consent of the other first obtained,* and they mutually engage not to lay down their arms, until the Independence of the United States shall have been formally or tacitly assured, by the treaties that shall terminate the war."

2dly. The sense of Congress on this subject expressed in their resolution of Jany. 14. 1779.[3]

Whereas &c &c.

3dly. The written official declaration of the Minister Plenipotentiary of France to Congress on the 9th of February last. "The King my Master on his part, *is invariably determined not to seperate his interest from those of America and to support the cause* of the United States as his own."[4]

When therefore, the most public and the most authentic records oppose themselves to your reasons, the world, and our Constituents will judge between us, whenever you incline Gentlemen to make the appeal.

As a Member of Congress, am I to found my opinion upon the open official declarations of the Minister to Congress, or disregarding these, to rest upon the opinions of particular gentlemen drawn from private conversations, where the expressions may be mistaken, or not rightly remembered? I can have, I ought to have, no hesitation in a case of this sort.

Upon the whole gentlemen I think your letter to the Governor of North Carolina contains matter very improper to be sent for many reasons, but if you should Continue to think otherwise and conclude to send it, I trust to the wisdom of the Gentleman to whom it is addressed, and to the justice of the State at the head of which he is so deservedly placed, that they will forbear to withdraw their aid from a Sister State invaded, for reasons on one side of the question only adduced to them, and because among others it is supposed that as I have given my opinion in favor of a question that appears to me to involve the most essential interest of the U. States, that therefore I have discovered resources in South Carolina which enable her to wage war with her single strength against the power of Great Britain?

I am &c.

MS (ScHi: Laurens Papers, no. 25). In the hand of Richard Henry Lee.

[1] This document appears to be the draft of a letter intended for the North Carolina delegates from Henry Laurens in response to their letter to him of April 2. But as it is the work of Richard Henry Lee—i.e., numerous deletions and interlined insertions clearly indicate that this text was actually composed by Lee—one can only conjecture how he came to be involved in Laurens' correspondence with the North Carolina delegates over the fisheries issue. It is clear from numerous other documents that the two men frequently collaborated on foreign policy issues, particularly those involving Arthur Lee, for the Laurens Papers contain many letters from Arthur Lee to Richard Henry as well as transcripts by Richard Henry of other documents related to the Deane-Lee controversy. And transcripts—in the hand of Laurens' secretary Moses Young—of five documents (dated April 3 and 4) relating to Laurens' controversy with the North Carolina delegates at this time are in the Lee Family Papers, ViU. It therefore seems obvious that when Laurens received a letter from the North Carolina delegates threatening to withhold aid from South Carolina because of his support of New England claims to the northern fisheries, he consulted Richard Henry for advice in preparing a response.

Interestingly enough, Lee's draft is much more detailed than Laurens' reply and rehearses a number of issues ignored by the latter in the letter he actually returned to the North Carolina delegates, for which see the preceding entry.

[2] See North Carolina Delegates to Henry Laurens, April 2, 1779.

[3] *JCC*, 13:62-63.

[4] See Wharton, *Diplomatic Correspondence*, 3:40; and PCC, item 94, fols. 109-10.

Richard Henry Lee to Arthur Lee

{Congress[1]} April 4, 1779.

The {governor} of {Virgin}ia {inform}s us that {Ford} your {secretary}[2] is a {bad man}.

Such are the {opinion}s entertained of {Ford} in that {state} that it is by no means {proper} he should {continue with} you any longer.

He is said to be an artful man, that he has imposed on many where he was not unknown, and therefore it is not to be wondered that he has succeeded where he was a Stranger and where there were no means of discovering him, and as he has documents with him of former services which might naturally lead to an opinion that he was a {good man}.

{Richard Henry Lee}.

RC (MH-H: Lee Papers).

[1] Words printed in braces in this text were written by Lee in cipher.

[2] The cipher here is 230bXIII, which would indicate a word beginning with the letters "lo." Since 330bXIII translates as a word starting with "se" and Richard Henry is clearly

referring to Hezekiah Ford's position as secretary to Arthur, it is assumed he mistakenly wrote "230" for "330." For the cipher used by the Lees and the conjectural element involved in deciphering their correspondence, see these *Letters*, 9:654n. 2.

For further information on the career of Hezekiah Ford, see the following entry; and Committee for Foreign Affairs to Arthur Lee, January 26, 1779, note 1.

Richard Henry Lee to John Page

Dear Sir, Philadelphia April 4. 1779

I have the honor to inclose you an extract of a letter from my brother William to my brother Frank[1] dated October the 15th 1778, by which it seems Very clear that the Stores you apprehend to have been shipped in September and taken, were not shipped so soon, and therefore I hope may yet be safe.[2] It will be a very unfortunate loss indeed, if the enemy have got them. But if this event has not already taken place, there will be less danger of it hereafter, as I expect that the measures we have taken will remove the enemies privateers from our coast. We have been informed that the Roderigue (Beaumarchais Ship) was to sail in company with three or four large ships for Virginia. I expect that our Stores will come by some of them. It seems that Ford[3] arrived in France from England and applied to the Commissioners representing that he had been made prisoner by the enemy in Virginia and carried to England, he shewed them his appointment of Chaplain to a Continental regiment, and being in distress he prayed their help to get back to Virginia. They assisted him, and he went to Nantes where he took his passage for America. He was taken by a Jersey privateer and made his escape a second time and got to Paris. Then it was that my brother seeing a person whom he had every reason to suppose a good Whig and a persecuted American, and at the same time wanting a Secretary, he employed this person whose abilities he found compitent to the business. But I am very certain that Dr. Lee will not continue Ford an hour in his employment after he shall be informed that suspicion has justly fallen upon his character. Information on this subject was sent by the first opportunity after the Governors letter came to Congress.

A report prevails in New York that the Count D'Estaing has beaten Gen. Grant in St. Lucia and that the British Troops to the southward are very sickly. Gen. Clinton lately undertook an expedition in the Sound, supposed against New London, but he has returned disapointed to N. York. The late violent Snow Storm, we hear wrecked 14 of his Transports on Fishers Island. May the Arm of Providence be thus always stretched out against the foes of freedom.

If Spain should join in the war of which there seems the greatest probability, England must submit or expose herself to almost certain ruin.

I am dear Sir your most affect and obedient Servant,

Richard Henry Lee

RC (NN: Emmet Collection).

[1] That is, Francis Lightfoot Lee.

[2] See Lee to Page, March 29, 1779, note 4.

[3] For further information on Hezekiah Ford, see the Committee for Foreign Affairs to Arthur Lee, January 26, 1779, note 1.

John Fell's Diary

Monday April 5th 1779

Commercial Committee. Congress. A Number of Letters Read. Clothier Generals Pay, the Report was 1000 Ds, 12 Rations, and forrege for 3 Horses long debate carrd for 50000.[1] State Clothier to be appointed & Paid by the State. Commissary Turnbulls affair came on but not finishd.

MS (DLC).

[1] The Board of War had recommended "That the Clothier General have a salary of 10,000 dollars per annum, twelve rations per day, and forage for three horses," but Congress this day set his salary at "5000 dollars per annum." See *JCC*, 13:404, 422.

Edward Langworthy to John Houstoun

Dear Sir, Philadelphia, Apl 5th 1779

As Major Clarkson & Major Franks leave this City in a few days, I have taken the Liberty to drop you a line. These Gentlemen, who are acknowledged to be brave Officers, propose to serve as Voluntiers under General Lincoln & having no doubt of their usefulness, I entertain none of their being well received by the Southern Army.

I cannot express to you my distress for the misfortunes that have attended the Inhabitants of our Country. It was always my Opinion, that something of this kind would happen, unless decisive measures were adopted against East Florida & I was highly pleased when I perceived that you were convinced of this point. I am conscious of what Efforts you have made to save an unhappy People, the difficulties you have encountered, and what Chagrin you must have felt on being disappointed in your expectations—however, I would not have you despair, for I have abundant reason to assert, that I make no doubt of your being again restored to your Country.

Inclosed I have sent you some Newspapers, & the Resolves of Congress respecting some Negroe Battalions.[1] I should be extremely happy to be favored with a Line from you & you may command me to any thing in my power in this part of America. I shall leave Philadelphia with Mrs. Langworthy in a few days,[2] so that if you write, direct to the Care of Charles Thompson Esqr, who will send the Letter to me.

I have wrote many Letters to Mr. Telfair,[3] respecting public business, but have been greatly disappointed in not hearing from him—many Gentlemen here remember you & make frequent Enquiries after your welfare. Sincerely wishing that you & Mrs. Houstoun may be preserved from the Horrors of War, I am, Dear Sir, Your most obedient and very humble servant,

Edwd Langworthy.

RC (PHi: Gratz Collection). Addressed: "To the Honble John Houstoun, Esqr. with Genl Lincoln, at Purisburgh, or elsewhere in South Carolina."

[1] See Thomas Burke's Draft Committee Report, March 25? 1779, note 1.

[2] The timing of Langworthy's withdrawal from Congress can only be conjectured. It is clear from Henry Laurens' correspondence that Langworthy's right to sit in Congress was contested at about this time and it appears from the journals that he was not in attendance after April 12. According to his credentials, he was elected on February 26, 1778, "to represent [Georgia] in Congress for the ensuing year," and therefore had not been entitled to a seat since February 26, 1779. This fact was apparently raised by Henry Laurens because of his frustration over Langworthy's votes on the "ultimata" or preliminary conditions for peace, votes which Laurens later sought to have expunged from the journals. See *JCC*, 11:685, 13:441; Laurens to John Laurens, April 16, 1779, note; Laurens' Notes of Debates, May 8, 1779, note 7; and Edmund C. Burnett, "Edward Langworthy in the Continental Congress," *Georgia Historical Quarterly* 12 (September 1928): 211-24.

It is not clear what Langworthy meant by his expressed intention to "leave Philadelphia." The fact that he asked Houstoun to write to him in care of Secretary Thomson indicates that he did not plan to return to Georgia. Moreover, he wrote to John Jay on July 25, 1779, that he was living in Philadelphia at the home of Whitehead Humphreys and that "I have for several Weeks past daily expected my Commission from the State of Georgia, reappointing me to a seat in Congress, which has been delayed to be sent on, by reason of the Invasion & distresses of the State." There is also evidence that Langworthy was involved in the partisan newspaper warfare that agitated Philadelphia in the spring and summer of 1779, for Langworthy complained to Jay of an attack upon Humphreys' residence by Philadelphia radicals, and he sought Congress' protection against further "Outrages." See James Lovell to Samuel Adams, July 8, 1779, note; PCC, item 78, 3:337-40, 14:271-74; *JCC*, 14:888-89, 1086; Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania, 1776-1790* (Harrisburg: Pennsylvania Historical Commission, 1942), pp. 73-74; and Burnett, "Langworthy in Congress," pp. 224-35.

With Langworthy's departure from Congress, Georgia was unrepresented until May 15, 1780, despite the fact that as many as three groups of delegates were appointed in 1779 during the state's invasion. As the minutes of the executive council certified, the capture of Savannah on December 28, 1778, "put a final end to public business of a civil nature." Since assembly delegates who had been elected early in December could not meet in Savannah on the constitutionally appointed date in January, representatives from the upper counties gathered in Augusta to form a rump "Convention." A "Committee" chosen on January 8 was cloaked with executive powers by the convention and on January 21 this group met as an "Executive Council" and elected William Glascock as its president. The executive council met sporadically through June in the midst of British raids in the backcountry and apparently elected or appointed delegates to Congress who were unable to take up their posts. In a July 10 letter to Jay, Glascock explained that "Our great fear at Present is that as we are not Properly represented at Congress you will be apt to entertain a bad Opinion of us . . . as far [as] our not being represented is owing to the Desperate Situation our Delegates have been Reduced to by being drove from their Homes and some loseing near or quite all their fortunes which reason they Assign for their not Attending and we are the Same time not haveing it in our Power to furnish them with money." Glascock hoped that "we shall not be long without a Proper representation at Congress." Indeed, in its frustration the executive council had ordered a special election to be held at Spirit Creek on July 2 "for the choice of one Delegate to represent this State in Congress." Perhaps the election was not held or the results were unsatisfactory, for no delegate was chosen. See PCC, item 73, fols. 240-45; and *The Revolutionary Records of Georgia*, 2:129-36, 140.

In an effort to prevent "anarchy and confusion", Georgians from eight counties met in Augusta on July 24 to nominate a "Supreme Executive Council" to direct the affairs of the state, which was also authorized "to elect fit and discreet persons to represent this State in Congress," and on August 31 it selected Edward Telfair, John Houstoun, and Edward Langworthy as delegates. None of those chosen, however, took their seat in Congress.

Later in the year the supreme executive council issued a proclamation dated November 24 ordering the election of representatives to a new assembly on the first Tuesday in December as mandated by the constitution of 1777. In the meantime, however, the failure of the allied siege of Savannah in October and the disarray in Georgia government prompted Gen. Benjamin Lincoln to suggest to George Walton that an assembly be convened as soon as possible. Arriving in Augusta in late October, Walton used Lincoln's letter as his authority for calling together on November 23 an "assembly" that elected him as governor and William Glascock as president of a newly designated council. Styling the supreme executive council under John Wereat the "Tory Council," Walton and his group claimed to be the legitimate authority in the state and applied to Congress and its agents for the $500,000 voted for the use of the state, but the money was denied him. The Walton "assembly" or its council also appointed a slate of delegates to Congress, among them ex-governor John Houstoun, which they expected to leave for Philadelphia "shortly." Houstoun certainly considered his election valid, for in a December 27 letter he explained to Henry Laurens that he had reluctantly declined the appointment and hoped that "the Representation is by this Time filled up with an abler Man than myself, and a better than some who were joined with Me in the last Election." See PCC, item 73, fols. 245-55; Candler, *Revolutionary Records*, 2:141-44, 175, 180, 182; Charles C. Jones, Jr., *The History of Georgia*, 2 vols. (Boston: Houghton, Mifflin and Co., 1883; reprint ed., 1965), 2:428; Edwin C. Bridges, "George Walton: A Political Biography," (Ph.D. diss., University of Chicago, 1981), pp. 158-70, 174-77; Kenneth Coleman, *The American Revolution in Georgia, 1763-1789* (Athens: University of Georgia Press, 1958), pp. 157-58; and Houstoun to Laurens, December 27, 1779, Myers Collection, NN.

By mid-December, however, the Walton faction had apparently decided to follow prescribed constitutional forms and its congressional delegation was withheld. Instead, Walton issued a proclamation requiring the "Members elect" of the new assembly called for by the supreme executive council on November 24 to meet in Augusta on the first Tuesday in January 1780. He further informed Congress that the assembly would soon meet and that "Delegates will attend Congress as soon as the Season will permit." Controlled by the Walton faction when it gathered in January, the assembly quickly declared the acts of the supreme executive council illegal, appointed Richard Howly governor, and elected Walton, Edward Telfair, Benjamin Andrew, Lyman Hall, and William Few as delegates to Congress. Whether some of those named were also on the slate chosen by the Walton "assembly" six weeks earlier is uncertain. Apparently convinced of the validity of the new government, congressional agents turned over to John Hardy, one of the Georgia treasurers, $597,000 voted for the state. Walton, Telfair, and Few reached Philadelphia in the spring and presented their credentials to Congress on May 15, 1780, thus becoming the first constitutionally elected delegates to represent Georgia in Congress since Edward Langworthy's term expired on February 26, 1779. See Walton to Congress, December 15, 1779, PCC, item 73, fols. 262-65; Candler, *Revolutionary Records*, 2:191, 196-97, 202, 207-8; *JCC*, 17:426-27; and Coleman, *The American Revolution in Georgia*, p. 159.

[3] Not found.

James Lovell to Horatio Gates

Dear General [April 5? 1779][1]

I am in a droll State. I have referred Doctor Cooper to you and have not Time to communicate what I wished, as I find by the Time of Day that the Express will be upon me. I will only be short; Yr. Favors are come to Hand by Doctr. Brown. I doubt whether any great Matter will come from their Contents being read in Congress.[2] They are referred to the Board of War. They will Serve, as The Lords' Protests, to show yr. Sentiments. We have done our best Endeavours except in the Matter of Fortifications at Boston.

I do not think you could possibly intend that I should deliver your Letter to Count D Estaing *open*, to Mr. G——d[3] and I have Reasons for not doing it, open or shut.

Your Sentiments about Nova Scotia touch my Heart and will make me industrious to forward them. This very Matter, if known would prevent some others from giving them any Expedition.[4]

I will not write to you in Figures.[5] There are Men, here, in too great Plenty who, think a stark naked Acknowledgemt. of the *13* United States under territorial Limits which Britain will not dispute is all that we are warranted to *demand* and all that our Allies will support us in the Claim of. Two European Powers have fancied that they could claim the Fishery of the Banks & Gulphs of America not only against their european Nations but agst. all *weaker* People even bordering on these Sease. A private Party pretend to know possitively that Gr Br. will not be thought to set up a *strange* Claim if she persists to demand *all* that she has not given to France. I mean all eastward of the Bounds of Massachusetts. He therefore that says we ought to demand and fight for the same Rights of Fishery as we have always had, is the willfull murderer of thousands, because Allies will not, support us beyond the professed End of the Treaty.

To be sure every Thing looks on our Part like Unpreparedness for even Defence. But if we may not demand what the Deity intended for us we will not formally or impliedly relinquish it. We must at least declare that we mean not by any Words or Treaties be supposed to foreclose future Claims of our Right to *catch* Fish in all open Seas if we cannot *cure* them but on our own Lands.

I cannot read over what I have written, but will say more on this head in some more composed minute.

I shall be unpardonable, however, if I do not add a few Words on a private Topic. Mrs. L——[6] expresses the highest Regard for you & your Lady and wishes me to say how much She is grieved that she is not able to show it in what is now a days called taking Notice of Strangers. Poor Woman! I pity her Feelings, if she was only as Republican in Sentiment as she is truly Generous in Heart she would be freed from much of her Regret on this Occasion by barely considering that her present Incapacity to behave in her old Line of Politeness springs from my strict Attachment to a most glorious Cause. Her Uneasiness would vanish.

Call on her often hereafter when her Cellar will abound in french & spanish Wines, or what is better good American Cyder. Drink Water with her now in Love.

J L

RC (NHi: Gates Papers).

[1] Lovell did not date this letter, but "Apr. 5th" is written at the dateline in an unknown hand. Further confusing the issue, the letter is endorsed by General Gates' aid: "Letter from Mr. Lovell dated Philadelphia 16th April 1779." Because General Gates' March 15 letter, which is the subject of this letter by Lovell, was read in Congress on April 5, Lovell must have written this letter on or shortly after the fifth, and probably before April 7, when Congress appropriated $15,000 for cutting a road to Nova Scotia, an issue Gates addressed in his letter.

[2] For Gates' March 15 letter and enclosures—General Washington's February 14 letter to Gates and Gates' March 4 letter to Washington on the invasion of Canada—see John Jay to Gates, April 4, 1779, note 1.

[3] That is, Conrad Alexandre Gérard. Lovell was reluctant to show Gates' letter, which concerned the conquest of Canada, to the French minister.

[4] See John Fell's Diary, April 7, 1779, note.

[5] That is, in cipher.

[6] Lovell's wife, Mary Middleton Lovell.

William Whipple to Joseph Whipple

My Dear Bror. Philadelphia 5th Apl 1779

Yours of the 1st March came to hand the 29. In my last I gave you a long detail of Mr Ds affairs,[1] intending to say no more on the subject, but finding Your mind impressed with apprehensions that he has suffered by the delays of Congress, & that the Lee's have been the Cause of those delays, I think it but a piece of justice due to their Gentlemen to attempt a removal of Your suspicions, by relating a few facts.

On my arrival here I understood Mr. D had been twice before Congress and had given a detail of their affairs in Europe, it was previously proposed that he should give his detail in writing but this was opposed by his Friends, and the opposition prevail'd, he therefore gave an oral narative in which he laid no charges against those Gentlemen who he has since held up to the world in the most Criminal point of light; this narative he finished with a declaration that he had nothing more to say. Very pressing Business prevented Congress coming to a decision on his affairs, there is no man in the house more anxious for a determination than the Lees have always been, indeed one of those Gentn., viz R.H. Lee was absent when I arrived & did not return to Congress till the latter end of Feby. On the 3d of Decr Congress resolved to take into consideration the State of foreign affairs & to meet in the Evenings for that purpose, of this Mr. D was informed by the President & that such Branches as he had been particularly concerned in wod be duely attended to. In a letter of the 4th he thanked Congress for that intimation & on the 5th addressed himself to the public, complaining that the Ears of their Representatives were shut against him. From this state of facts you may form an opinion of Mr. Ds complaints. I know it will be a matter of wonderment how such conduct shod be passed over unnoticed, but I trust the cause will appear in due time. Mr. D. has since delivered a narative in writing which I am told differs widely from what he delivered Orally as before mentiond. This narrative, which is very lengthey, I intend to procure a copy of, I shall also (when I leave this place) take some other papers with me, which places Mr Ds Charecter in a true point of light. I shall trouble you no more on this subject, unless any new matter shod appear in print which may need explanation in that case shall give you such satisfaction as the case may require.

I know of no Opportunity at present for Europe from this place but its not improbable there may be, being under no such restraints as you mention I shall with pleasure forward Mr. S——s[2] letters to his Friend in Europe Tho' it may be necessary that I shod have it in my power to Vouch for the contents of any such letters. Please to present my Respects to Mr. S. & tender him my best services in that or any other way in my power.

I am, Your very affect Bror, WW

RC (MH-H: Sturgis Papers).

[1] That is, Silas Deane.

[2] Whipple may have been referring to Jacob Sheafe, a merchant in Portsmouth, N. H.

John Fell's Diary

Tuesday April 6th [1779].

Commercial Committee. Congress. Mr Rutgars and Mr Horton appointed Deputy Muster Masters. Mr McPherson nominated.[1] Order of the Day. Long Debate about Mr Deane and the Commissioners abroad, on the Report of the Committee on foreign Affairs.[2]

PM Marine Committee.

MS (DLC).

[1] Fell's entry is misleading, for the nomination of William MacPherson mentioned here was merely a recommendation of the Board of War. Congress postponed action on the board's report at this time, and it seems clear from MacPherson's memorial to Congress of September 16, 1779, that no action had been taken on the recommendation. See *JCC*, 13:425-26; and PCC, item 41, 6:145-48.

[2] This "Long Debate" marked the opening round of a protracted controversy sparked by the report of the foreign affairs inquiry committee (the "committee of thirteen" appointed on January 20), which had been submitted nearly two weeks earlier on March 24. For the origins of this committee, see Foreign Affairs Inquiry Committee Minutes, January 21, 1779, note 1. The committee's report consisted of ten articles that named the commissioners assigned to Paris, Madrid, Vienna, Berlin, and Tuscany and stated that because "suspicions and animosities have arisen among the (late and present) Commissioners (viz. Benjamin Franklin, Silas Deane, Arthur Lee, Ralf Izard, and Wm Lee) highly prejudicial to the honor and interest of these United States, . . . the appointments of the said Commissioners be vacated, and that new appointments be made." The report also stated that ministers plenipotentiary were necessary only in Paris and Madrid and that only one commissioner need reside at these missions. For the committee's report and the list of charges and evidence presented against the commissioners, see *JCC*, 13:363-68.

Consideration of the report had been postponed, however, until this date, when Congress finally began to review and present amendments to the articles. In the next two months a heated and sometimes rancorous debate ensued, focusing primarily on the fifth or "recall" article as Congress weighed the conduct of its diplomats abroad. Ultimately Congress decided, on April 22, that Benjamin Franklin should not be recalled and, on June 8, that Ralph Izard and William Lee should be. But the proposed recall of Arthur Lee was more troublesome, and in the attempts of his defenders and detractors to establish that he either enjoyed or lacked the confidence of the French court, even the French minister, Conrad Alexandre Gérard, was drawn into the controversy. Lee withstood the attacks of his opponents at this time—on May 3, by a tie vote, a motion for his recall failed of adoption—but he was eliminated from the diplomatic service in September by default when John Jay was appointed minister plenipotentiary to Spain, thus ending any further need for Lee's services abroad. As for Silas Deane, he was permitted to return to Europe but was not assigned an official post. The official record of the debate and the votes taken from April 6 to June 10 is in *JCC*, 13:411, 426, 429, 435, 437, 455, 479-87, 489-91, 499-500; 14:512-13, 532, 533-37, 539, 542-43, 607, 619, 636, 643-44, 700-707, 711-15. For interpretations of the debate's significance within the broader context of congressional foreign policy, see H. James Henderson, *Party Politics in the Continental Congress* (New York: McGraw-Hill Book Co., 1974), pp. 199-206; Jack N. Rakove, *The Beginning of National Politics: An Interpretive History of the Continental Congress* (New York, Knopf, 1979), pp. 255-70; and Louis W. Potts, *Arthur Lee, a Virtuous Revolutionary* (Baton Rouge: Louisiana State University Press, 1981), pp. 227-37.

John Jay to Baron von Steuben

Sir Philadelphia 6 April 1779

It gives me particular Pleasure to communicate to you, by the enclosed Copy of an act of Congress of the 5th Inst, the high Sense they entertain of your merit displayed in a Variety of Instances, but especially in the System of military order and Discipline formed & presented by You to Congress.[1] I have the honor to be, Sir with great Respect & Esteem, your most obedt & very hble Servt, John Jay, President

RC (NHi: Steuben Papers).

[1] For the resolution of Congress commending Steuben, see *JCC*, 13:420.

John Jay to Francis Wade

Sir, Philadelphia 6th April 1779

I have the pleasure of acknowledging the Receipt of your Letter of the 4th Inst. Congress have referred it to the marine Committee with direction to take proper Order upon it.

Your vigilant Attention on this Occasion merits commendation, & were Instances of the like circumspection more frequent, Abuses would be less numerous.[1]

I am Sir, Your most Obedt. & very Hble Servt.

LB (DNA: PCC, item 14).

[1] According to Secretary Thomson's journal entry of April 5, Congress read a letter from Deputy Quartermaster General Wade "giving information of a vessel in the river Delaware at the mouth of Christiana creek, suspected to have provisions on board." *JCC*, 13:419.

Maryland Delegates to Thomas Johnson

Sir Philadelphia, April 6th 1779

We had the honor of receiving in course of Post your several letters of the 26th ulto. with their respective inclosures & immediately made the necessary application to enable us to give you the information you desire.[1] The inclosed letter from Mr. Governeer Morris[2] Chairman of a Committee of Congress for superintending the Quarter Master & Commissary Generals departments will point out the present demand for the Army: We must add that if it is in the power of the State to provide for the transportation to this City of the Flower purchased by their Agents, it will be deemed an essential service rendered to the Public. We are sorry that in fixing the quota of troops for the service of the present year, the distressd & exposed situation of some other States prevented us from availing ourselves of the circumstances pointed out in your letter. Our Endeavors Shall not be wanting to obtain the same discount for recruits raised in the state as hath been allowed to others.

We find by a resolution of Congress inclosed to us by Your Excellency, that the amount of the damages sustained by the inhabitants of the State from the irregularities of the 4th Georgia Battalion commanded by Colonel White, is payable to your order.[3] We therefore return the resolution & estimate & intreat you to favor us with an Order, which we will transmit to the Auditors of the Army, for payment with instructions to forward the Money as you shall direct.

The Last Letters from General Washington mention the return of Sir H. Clinton from an expedition supposed to be intended against New London, the loss of 14 light Transports driven on shore by a Late Storm on Fishers Island in the sound & the arrival at N.York of 28 sail from Europe & Halifax with some few troops, the number not ascertained. The French Minister hath received dispatches from Martinique dated the 6th Ulto. the particulars have not yet been communicated to Congress, but we learn that the Intelligence is interesting & agreable.

We are, with much respect, Your Excellencys, Most Humble & Most Obedt. Serts.

Geo. Plater Wm. Carmichael

Wm. Paca John Henry

RC (MdAA: Red Books). Written by Carmichael and signed by Carmichael, Henry, Paca, and Plater.

[1] See Maryland Delegates to Johnson, March 30, 1779, note.

[2] See Committee of Congress to the Maryland Delegates, April 2, 1779.

[3] For Congress' October 10, 1777, resolution to reimburse Maryland for damages suffered at the hands of Col. John White's Georgia troops during a march through the state, see *JCC*, 9:783, 792-93.

Rhode Island Delegates to William Greene

Philadelphia Apl. 6th 1779

Sir,

Some time past we had the honour of writing your excellency a flying letter giving an account of Lt. Col. Campbell's retreat from Augusta.[1] Since that we have received no account from Georgia. Rivington in his lying Gazette hath told the Public that on the 4th of March a body of our troops under Genl. Egbert were decoyed, surprized and captured or cut to pieces by the enemy. As more than a month hath elapsed since the 4th of March and we have received no intelligence it is concluded that nothing material hath taken place in that quarter. We have nothing new from Europe or the W. Indias; and our home intelligence is of no great importance.

Genl. Washington a few days since inclosed to us an extract from a letter of Genl. Maxwell dated March 28th advising him that, yesterday and the day before 28 sail had arrived at the Hook mostly from England, and that at the same time a Hessian Col. with three or four hundred men last from Halifax landed at New York—That Genl. Clinton was returned, That it was reported in N York that the expedition was over owing to the storm, that there was no account of the return of the British troops or vessels; That Gambier with 6 or 7 Ships & frigates designed 'tis said agst New London were on the outside of East end of Long Island; That the Troops to the Southward were sickly, and that Genl. Grant was beat by the French.

Yesterday Congress received a letter from the General[2] informing that he had recd. a letter from Genl. Putnam advising him that 15 light transports bound from Newport to New York were cast away at Sag Harbour and Gardner's Island in the late Storm.

At the same time we received a letter from the commanding officer of the Fort at Wyoming,[3] that they had been surrounded by a number of Tories & Indians who had destroyed several houses & barns and carried of[f] a considerable number of cattle. Thus, Sir, we have recollected and narrated every thing that hath the appearance of news. As we are situated at the very center of intelligence and this is an interesting period it is natural to think that we are but seldom without news of importance; but it is not the fact. Weeks frequently pass away without a word of information. We hope therefore that we shall not be censured for not writing oftner than we do. Whenever any thing occurs that respects the State, or is of any consequence you may be sure of having it by the first conveyance.

It may possibly have reached our State that this State nicely jealous of their honour; had conceived that they were not treated with the same respect & justice as had been shown by congress to others. There have been such suspicions; but they are happily removed. Union and Harmony are the great supports of our Independency.

We have not received the copy of one act since we have been here passed by our State in pursuance of recommendations of Congress; nor of any other acts saving one respecting a supply of Provisions and one relative our Quota of the tax. We should be glad to know what passes in government. We are frequently under embarrassment for the want of such knowledge.

We are this moment informed that the French minister hath recd. advice that Count De Estaing is reinforced and now hath one more ship than Byron, and that the French have retaken St. Martins and another small island, have also retaken a frigate and taken the Liverpool.

We have postponed writing until the post was ready to go out, write in Congress and therefore hope that our Errors & Inaccuracies will be candidly forgiven. We are with the highest Sentiments of Respect, Yr Excellency's, most obedient, hble Servants, William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery and signed by Ellery and Collins.

[1] See Rhode Island Delegates to Greene, March 16, 1779.

[2] Washington's April 2 letter to President Jay, for which see John Jay to Washington, April 7, 1779, note 1.

[3] Lt. Col. Zebulon Butler's March 23-28 letter to the Board of War is in PCC, item 78, 3:301-4.

William Whipple to Josiah Bartlett

My Dear Sir Philadelphia 6th Apl 1779

Inclosed is several resolutions of Congress respecting particular departments of the Army, they may have been transmitted officially but lest that should not be the case, I shall in future see it done. Please to inform me of all that has been transmitted since the Commensment of the present Year either printed or in maniscript; you need only mention the dates. I have no news to give you, there are flying reports, but as such are not to be relied on they are not worth relating; we have had no intelligence from the Southward this 6 weeks nor from Europe since the begining of Decr.

Mr. Frost talks of leaving me next week;[1] I have not had the least intimation who is to take his place.[2] Firmness & Intrepedity were never more necessary than at the present day, I therefore hope no one will be sent here who are not fully possessed of these Qualities. I shall endeavour to write to you fully per Mr Frost on subjects that it may not be proper to trust by the post—in the mean time am with great sincerity, Yours &c,

W. Whipple

RC (PHi: Etting Collection).

[1] George Frost's last recorded attendance in Congress was for a roll call vote on April 16, and three days later Whipple informed John Langdon that Frost had departed on the 16th. See *JCC*, 13:458, 461; and Whipple to Langdon, April 19, 1779.

[2] Nathaniel Peabody, who was elected a delegate by the New Hampshire Assembly on March 25, began attending Congress on June 22. See Whipple to John Langdon, April 19, 1779, note 2.

John Fell's Diary

Wednesday April 7th. 1779

Commercial Committee. Congress. Sundry Letters Read. Motion for 15000 Ds. to be Paid to Captains McNutt, Nevers & Rogers, they are to endeavor to open a Road in to Novia Scotia.[1] Order of the day, for examening in to the conduct of the Commissioners abroad, and foreign Affairs, great and warm debates. Agreed to Read all the Letters.

MS (DLC).

[1] Proposals for uniting Nova Scotia and the United States had been considered by Congress as early as November 1775, and in January 1777 and May 1778 Congress had authorized Massachusetts to launch expeditions to Nova Scotia. See these *Letters*, 2:286-88, 327n.1, 6:52-54n.4, 7:74-75, 9:734-35n.3. Therefore, the renewed proposals by Alexander McNutt, Phineas Nevers, and Samuel Rogers to open a road to Nova Scotia from Maine did not fall on virgin ground when their letter reached Congress on September 29, 1778, although Congress deferred action on their plan then and again on January 12, 1779. The persistent McNutt, however, had the support of New England delegates such as James Lovell and William Whipple, who were members of a committee appointed in December to consider one of McNutt's many memorials. Indeed, Lovell wrote the report that was adopted by Congress this day, advancing $15,000 "to clear a road from Penobscot river to St. John's river in the most commodious line." See *JCC*, 12:965, 1222; 13:326, 428-29. See also Samuel Holten's Diary, January 29; Lovell to Horatio Gates, April 5 and 19 and June 3; and Whipple to John Langdon, June 6, 1779.

John Jay to the States

Sir, Circular Philadelphia 7th April 1779.

Herewith enclosed are Copies of two Acts of Congress—One of the 23rd Ulto. for regulating the Cloathing Department—The other of the 5th Inst. providing for the Pay of the Officers employed in it.[1]

You will perceive that the first refers the Appointment of the Sub. or State Cloathiers to the different States, & that the second leaves their Salaries to be ascertained & paid by the States appointing them.

Such has long been the deranged State of this Department, & such is the Importance of immediately carrying the present System into Execution, that Congress hope it will meet with the earliest Attention.

I have the Honor to be, With great Respect, Your Excellency's Most Obedt. Servt.

LB (DNA: PCC, item 14).

[1] For these two enclosures, see *JCC*, 13:353–57, 422.

John Jay to George Washington

Sir, Philadelphia 7th April 1779.

I have been honored with your Excellency's Favors of the 29th Ulto, & 2nd Inst.[1]—And have now the pleasure of transmitting an Act of Congress of the 5th Inst, providing for the pay of the Officers in the Cloathing Department, Copies of which will, this day be sent to the different States[2]—And also an Act of the 3rd Inst, for sending Blank Commissions to the Commissioners of Indian Affairs in the Northern Department to be given to faithful Chiefs of the Oneidas & Tuscaroras.[3]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient and Humble Servt.

John Jay, Presid.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 13:419. Washington's letters of March 29 and April 2 are in PCC, item 152, 7:211–14, 219–20; and Washington, *Writings* (Fitzpatrick), 14:308, 328–29.

[2] See the preceding entry.

[3] See James Duane to Philip Schuyler, March 20, 1779, note 3. The commissions for the Oneida and Tuscarora chiefs were actually transmitted under cover of a brief letter Jay sent to Schuyler on April 8. PCC, item 14, fol. 84.

Board of Treasury to Joseph Reed

Sir, Treasury Office, Philada. April 8th. 1779.

Robert Leatham a private in the 10th Penna. regiment was committed by Hall and Sellers for endeavouring to steal money at the Press where they had employed him. Colo. Humpton has applied for Leatham's discharge in order that he may be sent to his Regiment alledging that he is a good soldier. To this the Board have no Objection if it is approved of by the civil authority, of this State: and I am directed to refer the matter and Colo. Humpton's application, as far as concerns the Treasury wholly to your Excelly's Determination.[1]

I have the honor to be, With great respect, Sir, Your Excellys Obedt. humble Servant. In the name of the Board of Treasury,

Jas. Duane

RC (PHi: Gratz Collection). In a clerical hand, and signed by James Duane.

[1] The Pennsylvania Council requested a "Copy of the Commitment of the said Leatham" from Col. Richard Humpton on April 10, but it is not known what further action was taken in this case. *Pa. Council Minutes*, 11:744.

John Fell's Diary

Thursday April 8th. 1779

Commercial Committee. Congress. Report from the Board of Warr, to allow Barron Steuben 4000 Dolls.[1] Long Debate. Report of the Committee concerning the dispute abt Prisoners between Major Pinkney & Lt Coll Prevost agreed that Gen Lincoln should appoint a Commissary of Prissoners to the Southern Army.[2]

Marine Committee directed to Sell the Hulks of the Washington & Effingham Frigates.

P.M. Marine Committee. NB Dined with Mr. Jay.

MS (DLC).

[1] There is no mention in the journals on April 8 of a discussion on a Board of War report recommending a $4,000 allowance and special expenses for baron von Steuben. However, the report was considered on April 12 and referred to the Board of Treasury, which responded favorably to the baron's requests. Congress adopted its recommendation on April 16. *JCC*, 13:199–200, 440, 459. See also Henry Laurens to John Laurens, April 18, 1779.

[2] See *JCC*, 13:431; and the following entry.

John Jay to Benjamin Lincoln

Sir, Philadelphia 8th April 1779.

A Copy of an Act of Congress of this day on the Subject of your Letter of the 12th of February last is herewith enclosed.[1]

The Enemy boast of victories and Successes in Georgia; & Congress are anxious to be informed of the State of Affairs in that Quarter.

I have the Honor to be Sir, With great Respect & Esteem, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] For discussion of Congress' response to Lincoln's letter and its April 8 resolve authorizing him to conduct a limited prisoner-of-war exchange in Georgia as proposed by his prisoner exchange commissioner, see Committee of Congress to George Washington, March 15, 1779, note.

John Jay to George Washington

Sir, Philadelphia 8th April 1779.

By the enclosed Extract from the Minutes of the 6th Inst. Your Excellency will perceive that Messieurs Henry Rutgers Junr, and Azariah Horton are appointed Deputy-Commissaries-General of Musters in the Room of Messrs. Bradford & Noarth who have resigned.[1]

I have also the pleasure of transmitting Copies of two Acts of the 7th Inst: One for cutting a Road from Penobscot river to St. Johns River[2]—The other granting to Mr. Job Sumner the Commission of Captain in the Army of the United States.[3]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient And Humble Servt,

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 13:403–4, 425. Jay notified Horton and Rutgers of their appointment in brief letters he wrote to them on April 7. PCC, item 14, fol. 81.

[2] See John Fell's Diary, April 7, 1779, note.

[3] *JCC*, 13:427–28.

Henry Laurens to John Laurens

My Dear Son, Philadelphia, 8th April 1779.

I have had the pleasure of receiving your favors from Chester & Baltimore. Your Letters for Camp are gone by the hands of your friend Colo. Meade who regreted exceedingly his missing a rencontre on the Road.

Be assured I shall pay a respectful attention to your friend Doctor Craik. When Mr. James Morris shall enable me you shall be informed of his decision on the Exchange of Horses.

This I hope will overtake you on the way, it will however be with you in a short time as the bearer is to travel swiftly. You will see by the inclosed Copies of correspondence,[1] all that I know at this moment of the delicate subject which you left me engaged in. The Censors from the Land of Turpentine took four days to devise an answer to my first Letter, found themselves hobbled & their reply proves they were a little humbled too—they felt the pressure of the Cord in which they had entangled themselves; at first they kicked violently, for I saw one of them writing the morning after my Letter was delivered, two hours & an half with that Letter before him, which had been previously scan'd by my Colleague[2] & the Circle—who were all much agitated. Three days Calm succeeded & then came forth a Letter of this date expressing a "reliance on my Candor" & leaving room for the exercise of ⟨*my*⟩ generosity—to demand more than reasonable satisfaction is to shift the ground & to commit an Offence. Under the influence of this sentiment I scribbled over my answer of the present date; if the Gentlemen enjoy feelings similar to my own, the affair will not come before Congress. I had every advantage over them that could have been wished for by a vindictive mind, & have disdained to insult Men who have surrendered.

I long to be relieved from a duty which is now become a burthen, & in the honest prosecution of which I am in danger of being betrayed & sacrificed by a Man who ought to love & support me—send forward that relief I earnestly entreat you. Quarrels cannot last long where there are not faults on both sides. I have pursued such steps, suppressed resentments which might have been justified, & so far guarded against a quarrel—but th[ey] cannot command harmony, without which Colleagues cannot proceed in public business to good effect.

I have heard nothing of importance from the Army since you left me—the business which employs me daily seven or eight hours or more at the State House & here is of a secret nature. Therefore I have no News to offer but such as may appear in the printed Papers which I send to Colonel Gervais & to which I refer you. Forty four days have passed since we had any intelligence from Charles Town I suspect the miscarriage of a Messenger.

I intreat you let me hear from you by every opportunity.

I pray God to bless & protect you, Henry Laurens.

P.S. 11th. Since writing as above No. Carolina has been silent, & what is more extraordinary my Colleague has called upon me to confer on business of our Constituents, he met a cordial reception & a frank communication of sentiments on my part.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] A reference to the letters Laurens exchanged with the governor and the delegates of North Carolina on April 4 and 8, 1779.

[2] That is, William Henry Drayton.

Henry Laurens to the North Carolina Delegates

Gentlemen, (No. 9) Chesnut Street Philadelphia 8th April 1779

The explanations contained in your Letter of this Morning[1] afford me the satisfaction of feeling myself once more a free Agent. I have, in the course of a two Years acquaintance given you repeated proofs of my abhorrence of that temper which leads some Men to take unfair advantages of the rashness or inadvertency of others. I have the honor of adding another in the present instance, and of assuring you Gentlemen, your confidence in my candor shall not be abused.

Be persuaded Gentlemen, my late Vote, you know what I refer to, and to be more minute would be dangerous, because our correspondence may perchance fall into improper hands, was the effect of as deep meditation as my mind could produce, after listening to, and impartially arranging every good argument pro and con, casting aside such as were "misty" or "tempestuous." The reasonings in Congress and Conscience, were my Oracles. I neither consulted nor received advice out of doors, directly or indirectly, from any Man—had you been pleased to address me in Person, you would have found me, as you will now find me, determined to pay a respectful attention to the voice of decent expostulation, in full possession of a maxim which has governed my conduct thro' life, "never to determine on important points until the proper moment," that moment in one stage of the business before us, is past, but the judgment being interlocutory, another, for final decision will arrive, the mean space shall be employed in reconsidering the subject upon the principles of justice, policy, expediency, and even necessity—should I, Gentlemen, eventually differ in opinion with you, let my welfare here and hereafter be forfeited, if my vote be the effect of criminal pertinacity.

Methinks I could in this place administer salutary advice in return for your favors, but it is not my duty nor my wish to catechise, or to put my friends to pain by an application of causticks. My honorable Colleague without my knowledge commenced the seperate correspondence which you regret. I am equally blameless for that circumstance, and for the late general and visible want of harmony with that Gentleman. My own heart is in proper tone. So sensible am I of the critical situation I stand in, that I would give half the fragment of my Estate for the purchase of positive instructions from my Country upon the momentous question which has occasioned you and me the trouble of so much writing. I am almost provoked to add, that I would give it for the pleasure of a confining fit of the Gout; but while I am in health, I dare not meanly turn my back upon duty, from a fear of consequences. I have no overweening Ideas of my own abilities, such as they are, my Countrymen after long experience, sent, and have been pleased to detain, here. They know what they have to rely on respecting myself—whether my vote hereafter shall receive their plaudit or otherwise, I am sure they will never question my integrity.

If there be traits of asperity in my former Letter, which I did not intend, you will be pleased Gentlemen, to consider them as the product of an unexampled outrage on your part, and for which I admit your present Address to be a mark of apology. Here I intreat our correspondence on this subject may expire, and that you will believe me to be, very respectfully, Gentlemen, Your faithful fellow Labourer, & Obedient Humble Servant, (signed) Henry Laurens

Tr (ScHi: Laurens Papers, No. 31). In the hand of Moses Young and endorsed by Laurens: "No. 9. which put an end to the Farce & produced much politeness & many assurances of good will & esteem—from the Delegates of North Carolina to Mr. Laurens. Whether they sent their letter to Governor Caswell or not, I can't tell, I did not give my self the trouble to inquire, but I had kept my word & sent mine, because their apology did not come in time to prevent it."

[1] See the following entry.

North Carolina Delegates to Henry Laurens

Sir, (No. 8)[1] Philadelphia, April 8th 1779

We had no Intention or Expectation of entering into a Correspondence with the Delegates of South Carolina, individually, when we officially laid before them our thoughts and purposes relative to a certain Measure depending before Congress;[2] which seemed greatly to depend on your vote, and from the manner in which you gave it, on an Interlocutory motion, threatened, in our opinion, distressing Evils to those parts of the Continent which are not secured by internal Strength and inaccessible situation; and which, for that reason, threatened the State we represent with very Interesting and dangerous Dilemmas.

We are sorry to find that your honorable Collegue and you do not harmonize in this business, and that, instead of your Joint answer, we are to receive only separate letters which convey very different Sentiments. What foreknowledge your honorable Collegue may have had of our Measure we know not, but we assure you it was the result of mature thinking, and of our own Judgments only.

We return you our thanks, Sir, for inclosing to us the Copy of your Intended letter to Governor Caswell:[3] the rather, as it affords us an Opportunity of attempting to remove some mistaken Opinions which you have therein advanced.

We meant not, Sir, to Condemn, or even Censure your Conduct. We saw you Vote for making a very extensive claim of a right of Fishing, an ultimatum on a treaty of peace, even tho' our Allies should be in no Condition to give us assistance; and we could not reconcile this Vote, given by a Delegate from a State which has hitherto been Considered as a very rich and alluring object to the Enemy, but unable to make any Effectual Efforts for her own defense, and which appears but too probably to have of late engaged the Enemy's most hostile Intentions. We say, Sir, we could not reconcile this Vote on any other presumption, than what we have Suggested in our Memorial.

Our View, in that Memorial, was not, as you Suggest to Governor Caswell, "to attack the freedom of debate and Suffrage, to menace a free Citizen in order to bias his Vote," but to inform the Delegates of South Carolina, that the presumption of exertions to be made by the State we represent is mistaken; and, if it had any Influence in causing you to vote for an object, as an ultimatum, which we all deem highly important, but not absolutely Necessary, to remove all ground for such Influence. Relying on your Candor, we doubted not, that if your Vote was founded, in any degree, on such presumption, you would retract it on the information we gave; and we preferred giving you this Information officially, and in writing, that it might form a proper and honorable Ground for your change of Opinion, as well as a Justification for ourselves. We cannot understand this to be a Menace; and we beg leave to assure you, we are incapable of such motives as you assign: and clear in our Opinion, that threats would be very ineffectually applied to you. Should we see you persist in the Vote, after the information we gave, we should conclude you to be determined by the Idea you have, of adequate force in South Carolina; and, in that event, intended to send forward the letters to the Governor of our State; believeing it our duty to spare the Exertions of our People as much as possible.

We hope we have not misrepresented. We certainly have no such Intentions. Nor, do we conceive, that our Conduct, on the present Occasion, is contrary to our declared maxims, which we sometimes use in debate.

The Measures we recommend, cannot have the effect of "an abandonment of an Innocent People," or "endangering the safety of the United States," if the Strength and resources of South Carolina be such, as to warrant her Delegate to vote for a continuance of the War, without Allies, for an Object, not absolutely Necessary to the whole, and, but remotely, if at all, interesting to her. And such Strength and resources make the Efforts of other States, which are made with great difficulty, unnecessary in her present Situation. We may attribute too much to your Opinion; but, we think ourselves Justifiable, from your eminent Character for experience, Industry and Intimate knowledge of your Country, in relying on it, so far as to induce the Measures we propose.

The public secret, which you allude to, is kept on our part. In the Event, that the Fishery claim shall be made an ultimatum, even without allies, we shall feel ourselves under a Tie to our Country, Superior to any which Congress can lay us under; and, foreseeing from it nothing but desolation, or absolute Submission, we shall follow the example of some other Gentlemen, who declare, they will hold themselves bound to lay the matter before the state they represent.

The secret of a "Plan to hunt you down," is utterly unknown to us; and we hope you are mistaken. We cannot deem any Individual amongst our Body, so dangerous, as to be the object of a Justifiable Combination, nor do we know any one, of Importance sufficient, so much to engage our Efforts and attention; and, we wish you to do us the Justice to believe, we are incapable of so unworthy a Measure.

The Paragraph in your letter, beginning with the quotation from Lord Bacon, is too figurative, and misterious for our Comprehension.

We are sorry you deem us under the Influence of Passion, or that we feel any pique or resentment against you. Permit us to assure you, that, in both, you are Mistaken. We are sensible of no personal Injury from you, and have therefore nothing to resent. We cannot persuade ourselves that you are conscious of having ever designed an ill office to us, and suppose the word resentment was a Slip of your pen. We have not observed in you anything unfriendly, or disrespectful to us; and know of no pique or cause for one to exist.

The manner in which we address you, notwithstanding the asperity of some expressions in your letter to Governor Caswell, applied to us, may, sufficiently, convince you of our good temper. We attribute those asperities to the mistaken Sense in which you understand our memorial; and therefore, excuse them.

In truth, Sir, the Importance of the object, and its peculiar Consequence to our own particular State, were the only Considerations that moved us to address our Memorial to the Delegates of South Carolina; and, we expected to inform, but not menace thereby.[4]

The letter to the Governor contains Sentiments which we now entertain Hypothetically, and which will be established, or removed by the Event of the Question before Congress, and the Votes thereon.

We are much concerned that you have so widely mistaken us, but we shall be much more so, if your vote shall fix as an Ultimatum those Extensive Claims to Fishing Contended for by the Eastern States.

We leave the Subject entirely to your own good Sense, and cool, dispassionate reflection.

Having the honor to be with due respect, your obedt. Serts.,

John Penn

Whitmell Hill

Thos. Burke

RC (ScHi: Laurens Papers, No. 31). RC (CtY: Sanderson Signers Collection). These two fragments are parts of the same letter, which was written by John Penn. The second was signed by Penn, Burke, and Hill and endorsed by Laurens: "Messrs. Penn, Hill & Burke. 8th April 1779. Rcd. 1/2 past 11 AM & Answd. that day. (No. 8)."

[1] This number was added by Laurens.

[2] See the North Carolina delegates' letters to Richard Caswell and to the South Carolina delegates of April 2, 1779.

[3] See Laurens' letters to Richard Caswell and to the North Carolina delegates of April 4, 1779.

[4] At this point the ScHi RC ends; the remainder of the text is taken from the CtY RC.

William Henry Drayton to the Committee on Appeals

April 9, 1779.

If Mr. Paca, Mr. Ellery & Mr. Henry can attend a Court of Appeals this Even at seven Oclock, Parties are desirous of being heard,[1] & the Court will meet accordingly. But it being five oclock before an application was made, Mr. Drayton being previously occupied will not be able to attend.

W. H. Drayton

RC (MHi: Wetmore Papers). Endorsed by William Ellery: "Wm. Henry Drayton, Apl 9th 1779, Philada."

[1] Although it has not been determined which prize case the Committee on Appeals would have considered this day, the committee did issue a decree in the case of the schooner *Hope* the following day. See Committee on Appeals Decree, April 10, 1779.

John Fell's Diary

Friday April 9th [1779].

Commercial Committee. Congress. After the Letters &c. The order of the Day In the Report of the Committee on foreign Affairs. NB Dr Weatherspoon went home. P.M. Marine Committee.

MS (DLC).

Gouverneur Morris to Joseph Reed

Phila. 9th April 1779.

Sir,

I this Morning, for the first Time, have seen the Points stated, by your Excellency, on Behalf of the joint Committees of Council and Assembly.[1] I had previously heard a Part of the Substance, together with some other Things which I shall take Notice of in the Course of this Letter. As you must know that Congress has no Control over the Conduct of it's Members, other than what may be necessary for the Order & Decency of Debate, and the better conducting of public Business; you could not be ignorant that any Offence which I had been so unfortunate as to give your State, was by no Means chargeable on the Body I have the Honor to belong to. You will pardon me then, Sir, if I consider every Thing which is personal of me, as having a Tendency to injure me without a Possibility of Doing Good to any Man or Body of Men whatsoever. I shall not enquire into the Motives. I hope they are honorable, because I most sincerely wish, that every Person in Office under the Whigs of America may, at a late Day, have the Consolation of an approving Heart. Let me assure you that it is not in my Intention to cast the slightest Reproach upon you. I know well how much the Conduct of Men is influenced by Circumstances, how open public Men are to Misinformation and the Design of others, and how very difficult it is not to be swayed by Heats on some Occasions. At present I do not write for the Press. It is in your Power to prevent me from harboring the slightest Intentions to do you an Injury. It is also in your Power to compel me to take Measures for my Defence. I shall write to you with Freedom, and I shall expect that you will vindicate me from such Aspersions as you know to be groundless. I ask no more.

Your first Complaint is grounded on my Letter of the 24th of January 1778.[2] Of that Letter I never kept a Copy, but from Memory I state the Matter as follows. The hon'le Mr. Harvie and myself were, at Lancaster, applied to by some british Officers, who complained that they came out under the Protection of the united States pledged by their Generals, that they had paid on the Road for every Thing they purchased in Specie agreable to the Order of Congress; that they had paid their Bill at Lancaster in the same Manner; but that, by Reason of a Law of the State of Pensilvania, the executive Council had compelled the Innkeeper to make out a new Bill and charge them of a new for the same Articles at an exhorbitant Rate, because he charged others so who were to pay him in Paper; which they considered as a Violation of the public Faith. I saw at once the Advantage which our Enemies would take of such Circumstances, and how much our national Character for Probity might be injured by their artful Representations. At the same Time, convinced that the Legislature could not possibly have had this Case in Contemplation which indeed was alone to be determined by the Law of Nations, convinced also (and I appeal to your own Good Sense for the Truth of the Position) that Persons in their Situation were not subject to the municipal Laws of the seperate States so long as they demeaned themselves consistently with the Terms they had either tacitly or expressly agreed to, I wrote the Letter in Question. That Letter I believe supports such Sentiments, tho as it was written in the public Room of a Tavern in Haste while on a Journey from York Town to Camp it may want both Accuracy and Precission. Till this Moment I did not know that the Council had complained of it to Congress, nor shall I now make any Remarks on that Complaint. You mentioned the Letter to me at Camp. You censured it as imprudent, urging that the same Sentiments might with great Propriety have been delivered to the President personally; to which I answered, with Truth, that I had not the Honor of his Acquaintance. We had a longer Conversation about it than I thought the Letter deserved. The tedious Altercation was at length closed by an obliging Observation which you uttered with a Smile, "That you was confident I would not have written it had I taken Time for Consideration and would not do it if it was to do again["]. I make no Comments on this Transaction. I think the Council have paid more Attention to the Letter than it was worth. The Rest I leave to you; with an Assurance, however, that if the Use made of it contributed in any Manner to extricate your Council from a Dispute with Congress, which however ridiculous may have been the Causes, might in the Consequences have been very pernicious; if this I say was the Case, you are heartily welcome. For I am well content to be the Peace Offering on this Occasion, saving always my Reputation which I will not part with.

Your next Ground of Complaint is my Appearance before the House of Assembly.[3] Your Words are "in a Dispute between the contending Parties of this State, to the great Dissatisfaction of the Inhabitants of Pensilvania, who suppose the Delegates of the united States sent here to attend the Affairs of the common Union not to advocate the Measures of any Party." I repeat this Observation because I mean, that, after calling a few Things to your remembrance, you yourself should make the strong Appeal to your own Heart in that cool Moment when the Hurry and the Glare of public Life leave Room to Reflection. Was it an Insult to your Legislature that a Lawyer, being then also a Delegate, should appear before them in a contested Election? Mr. Morris as a Lawyer did not dishonor them, and the Character of a Delegate on the one Hand could not be sullied by appearing before the Legislature of a State, nor on the other could that Character derogate from that of the Legislature. I have not the Vanity to suppose my Talents were of any Consideration; nor indeed could they have been so. If great the Electors had a Right to the best they could procure and if small it would have been their Misfortune. Justice, I hope and beleive, was the Object on all Hands. Mr Reid as well as Mr Morris was at once a Lawyer and a Delegate. In the Moment of Friendship and Confidence, I told you that I was employed, You never hinted to me that it would be disagreable to your Countrymen. You assured Mr R. Morris and Mr Biddle in my Presence that those who applied for Seats, and whose Cause I was to advocate, were more strong Partizans of the same Side of the Question than those who now sit, And that they mistaking you to be friendly to that Side had applied for your Patronage and Interest with the Assembly on the Ground of their strong Attachment to the Constitution. This then was not advocating the Measures of any Party. But the Sentence is well turned and I forget it.

The third Ground of Complaint against me is the Letter of Robert Lettis Hooper,[4] on which you say. "Which Letter was *publickly* shewn by the said Mr. Morris to the Commander in Chief and others but being demanded by the Delegate of Pensilvania as a high Insult to the State was refused upon the Allegation of it's being a *private* Letter." The Opposition between *publick* and *private* you will I dare say take Notice of. A private Letter may be publickly shewn without the Fault of the Writer. Nor ought he to be prejudiced by the Imprudence of him to whom the Letter is directed. Let me remind you Sir that upon the Receipt of this Letter I shewed it as containing a Piece of News on the one Part, and a very extraordinary Determination on the other. That you pressed for it in Order to lay it before the Council. That I then told you I did not imagine Mr. Hooper meant by Writing that Letter to publish such Determination. That I did not think it written to me as a Delegate but meerly in my private Capacity. That there was Something dishonorable is using such a Communication to the Prejudice of a Man who might have entrusted it confidentially. And that if he really intended to publish such a Determination other Evidence would not be wanting against him. Sir I refused to deliver that Letter, because I think it wrong to turn to a Man's Disadvantage private Communications. I entreated you to consider it as such and by no Means to publish the Contents of that Letter, and I believe you know that it was not shewn by me after your Demand of it. I do not take Notice of the Matter as before the Board of War who I am told can fully exculpate themselves, but I must call to your Remembrance that I chearfully cooperated with you and Doctor Witherspoon in collecting Evidence against this very Mr. Hooper.

I have heard, but I do not recollect my Informant for I cannot believe the Fact, that you asserted to the Assembly, that in a Conversation with me, I had not only declared my Intention to procrastinate a Determination on General Arnold's Case but even pointed out the Mode I would pursue. It is possible that you may have mistaken or forgotten some Part of that Conversation. You doubtless remember a Letter of yours which brought it on. I make no Comments on that Letter. I called upon you immediately for an Explanation of it. I asked you what I had done prejudicial to your Ease or Quiet. At first you declined entering into any Explanation. I told you that considering what had passed between us we must be upon better or worse Terms. That if any Thing lay upon my Bosom, I would tell it you and ask the Meaning, and that it was your Duty to do the same. That I was ready to explain any Part of my Conduct to you, and if you declined to ask an Explanation and resolved to take Offence the Consequence must lie with yourself. You then complained of the Part I had taken in your Dispute with Genl. Arnold. I told you, and I told you truly, that I had been so unwell for several Days that I could not attend Congress, and consequently had taken no Part in the Business; and further that I had not seen any one Paper relating to it, which was also a sacred Truth. You told me that the Council had Evidence agt. [. . .] Genl. Arnold which Gentlemen of Congress little dreamt of, and that those who supported him would be injured by it. I replied that whenever Evidence offered against him or any other Man, no Member of Congress would exert himself more to see that public Justice was done. I appealed to your own Knowledge of me in the Affair of Hooper &ca. and to the Part I had acted on Mr Laurens's Representation against Mr Robert Morris.[5] You pointed at some Resolution (tho I really forget what) which you thought Congress ought to pass. I did not like it and candidly told you so and my Reasons. You proposed to me the Question how I would act if the Motion was made and the Yeas and Nays called. I told you that I did not believe Congress would give either Yea or Nay upon any such general Proposition. And that for my own Part I should in such Case propose an Amendment. But this had nothing to do with Procrastination, & it would be very singularly hard if a Man should be chargeable with procrastinating public Business, when he proposes to amend what in his Conscience he cannot approve. You observ'd to me that I was wrong in supporting the army for that those Gentlemen were quite assuming enough without any Encouragement. I told you that I could not charge myself with giving them improper Encouragement; and that I was confident they would never be dangerous to the Liberties of America unless from a groundless Distrust of them. You mentioned to me my Vote in the Affair of Genl. Thompson and Mr McKean as a Slight upon Pensilvania.[6] I told you, that on that Occasion Mr McKean the Delegate of Delaware was concerned, and not Mr McKean the Chief Justice of Pensilvania. That Congress had no Right to protect the Privileges of your Chief Justice, however they might have a Right to protect those of their own Members. And that my Vote, in the Consequences of it, might be more injurious to myself than it possibly could be to the State of Pensilvania. I desired you to tell me the Reason of a Coldness and Distance in your Behaviour which I had observed. You assured me that you was not yourself sensible of it. That there was no Cause except what you had mentioned. That you was fully satisfied, and that if any Thing should turn up which gave you Dissatisfaction, you would candidly mention it before you suffered it to make any Impression on your Mind. Some general Conversation on public Affairs ensued, and among other Things, as We both agreed in our Idea that the Publications about that Time had a pernicious Tendency (particularly as they might create and certainly had the Appearance of Disunion). I told you that at the first Leizure Moment I would write a Paper to prevent the Ill Effects of them, which you strongly urged me to do.[7]

I have been told that you have mentioned my Interference in the Affairs of your State Constitution to my Disadvantage. I appeal to yourself Sir, whether this Interference was not founded on a Regard to the Interests of that State and the Happiness of it's Citizens. Whether every Step I took did not meet with your Approbation. And whether the greater Part was not at your Request. For after all what was my Interference, further than bringing you, Mr Morris and Mr Biddle together at my House at your Request, being present at your Conversations and faithfully keeping your Secrets, to which Effect the Honor of every Person present was pledged? Did I do more? Unless indeed when you imagined they would oppose your Election to the President's Chair. You then called upon me. You told me, "That tho I frequently threw out Things which were not so prudent yet you had an Opinion and really believed I would not do any Thing that was wrong. That it was in my Power to do a great Deal. Mentioned to me the supposed Opposition, and with much Emotion declared that you had not sought public Employment that if you was ill treated you would make it the Business of your Life to oppose them and the like." I obtained Assurances from them that they would support your Election.[8] This and what related to the Delegation of this State which I was only privy to and not active in is all that I know of which looks like an Interference. I did indeed make some faint Endeavors to bring over the Quakers to the Whig Interest or, if that were impracticable, to break their Combination. This Measure if it could have been effected (and I verily beleive with some Moderation on the Part of Government it might have been effected) would perhaps have influenced your Constitution. And so would the acknowledgement of our Independence which it is not on that Account the less my Duty to labor for. I do not blame your Government for not doing what I attempted. For I know that Men in Power are frequently obliged to sacrifice useful and desirable Objects, to others more useful or more desirable.

I will observe to you here, that altho it was in a private and friendly Manner you mentioned to a Gentleman in New York that I kept Company much with Tories, yet as the Communication was made in the first Instance to one who you knew to be at that Time irritated against me I had no small Reason to suspect some other Design. I am not conscious of the Truth of your Observation and I think I once expressed to you the

Pain I felt from so injurious a Report, and that too with much Warmth. But I was so far from obeying Emotions of Resentment, and so far from acting disrespectfully to your State, that I did most earnestly press some Individuals to treat you and your Council with Respect and Attention, and have warmly reprobated Sentiments and Expressions of you and them derogatory to the Honor of Government. I mention these Things to you because it will shew that I am infinitely superior to Littlenesses and Personalities, much more to the abomimable Meanesses which some have thought proper to charge me with.

A Slander hath been so industriously handed about to my Disadvantage, that it cannot be without Interest and Design; because I certainly am not of such Importantce, singly considered, as to deserve the Attention lavished by my Detractors. You have heard it, and I have too good an Opinion of you to beleive you will again suffer it to pass uncontradicted. It is on that long contested Affair of the Sloop Active.[9] Two Things are, I am told, asserted. One that I am concerned with Genl. Arnold in the Purchase of a Share of that Vessel. Another that I attempted to suborne Witnesses. I shall not enter into the Merits of the Cause, they are not to the present Point. But I must repeat to you what I have before mentioned which I think were we to change Places I should have urged in the Teeth of such Reports against you. I do not to this Moment know whether Genl. Arnold is interested in her. On the one Hand there are it is true some Circumstances to induce such a Belief; and on the other is a solemn Declaration to the contrary, which one of the Captors made to me. But be that Matter as it may; I undertook the Suit because it appeared to me just, and because, the Captors being represented as Poor, I did not beleive there were many of the Profession who would as I did undertake to serve them for Nothing. Genl. Arnold indeed proffered to be their Security to me for any Fees which I might demand, but I told him and them, that if they recovered they might pay me, if they lost the Suit they lost enough and should be welcome to my Services. Of this I formerly assured you and you have had no Reason to doubt of the Truth of it. The Ground of the other Report you are fully possessed of and mentioned to me long ago, if that can be called a Ground which is so weak and futile. Mr Jackson, a sick Gentleman from Jamaica, who was a Witness in that Cause on the Part of your Clients had taken Offence at Something I said which carried to his Mind the Idea that I thought he might be influenced by the Gift of what he had on Board the Vessel to give false Testimony against the Captors. This he mentioned to you. I took the first Opportunity after you had told me of it, to convince Mr Jackson of his Mistake, which was done in such Manner that he appeared to be perfectly satisfied. The Fact was this. Genl. Arnold sent for Mr. Jackson to enquire into the Nature of the Case. I was present when he came, and in the Course of the Conversation I put some Questions to him. After that was over, then, as a Gentleman who felt for and wished to releive Distresses which (from the Mutability of human Affairs) he might in his Turn be afflicted with, I enquired into his

Health and Circumstances; and as he had open Letters to New York, I asked for those which were directed to my former Friends there, or were written by any such in Jamaica, intending if it were necessary to aid his Negotiations for Money in this City. He had not his Letters with him but assured me that on these Subjects he was perfectly at Ease. I then as an American expressed my Hopes that he had not been plundered or ill treated by my Countrymen, and my Confidence that, notwithstanding the apparent Ingratitude of their Conduct, at which he seemed much enraged, they would not take from him his wearing Apparel, and such other Things as it had been customary to leave in the Possession of Persons in his Situation. How he came to misinterpret what I said I cannot concieve, but the Fact stands as I have stated it, and no one who knows me, nor indeed any other but a very base and wicked one will beleive me capable of the Infamy of suborning a Witness.

Another Insinuation against me no less cruel is, that I support Mr. Deane from interested Motives. If by supporting Mr Deane is meant the just & honorable Support which is due from a Representative of America to a Servant who asks for Justice, I am proud to declare that I have given and will give it, tho I disdain to sell it either for Price or Condition. But if by Support is meant Assistance in Fraud or Guilt I repel the Calumny and I despise the Calumniator. While Mr Deane was a Petitioner to be heard, I maintained his Right to a fair and a candid Hearing, with the Warmth, not of an Advocate but, of an honest Representative whose Duty it was to do Justice to the Public and to Individuals. If he shall appear to be guilty I will condemn and prosecute him and if innocent I shall endeavor to place that Innocence in it's proper Light. But the Supposition that I forward his Views (if any he has) to future foreign Employment is ridiculous. Mr Deane considered in himself is not the Negotiator I should chuse under his present Circumstaces, tho compared with some now Employed and others who wish to be employed he has an infinite Preference. Nor can I, notwithstanding Appearances, perswade myself that you really second the Views of Men who have already attempted to blast your Reputation, or of a Party whose Enmity you must be fully convinced of whatever may be their present Professions. Neither can I believe that you have such Weakness as to sacrifice the permanent Interests of this State to any momentary Objects which now offer themselves.

It is hardly worth mentioning further that as it serves to shew how sedulously some Persons employ themselves to my Prejudice that Enquiries have been made whether I am not concerned with Mr Deane in Trade. There is Nothing which may not be overdone, and this is among the Number of those Things which must soon recoil upon the Inventors. I am well content that my Conduct be probed to the Bottom, and I trust will then appear to deserve, not the Forgiveness, but the Applause of my Country.

I have mentioned above a Publication which you urged me to make, but which hath as I have been informed given you Offence. How this can be I know not. My Object was to prevent our Friends from being alarmed and our Enemies encouraged by the Appearances of Disunion. Similar Motives appear to have prompted your Measures for Healing the Dispute of your Council with Congress. Between the Time of conversing with you and that of Writing the Publication, this Dispute had begun to take a serious Turn, and the Honor and Justice of Congress were impeached. I think it essential to the Safety of America that her Representatives should be properly respected, which cannot be while their Conduct is marked by Folly or Iniquity. To justify them was a Duty. I know of no Principles of Friendship or Regard by which I was bound to treat your Council with peculiar Tenderness. I have spoken of them in that Publication not disrespectfully, and perhaps the Moment will arrive when they will do Justice to the charitable Sentinents which it breathes. It would be Blindness however not to see the clear and strong Lines drawn between you and them. I can distinguish the Conduct which is purely your own, from that which you may be in a Manner compelled to by those about you. I know enough of Power, to judge with Charity of those who possess it; nay more to pity them, for I know it's Bitternesses. And of all the Anguish which attends it, the being hurried by others into a Subserviency to their Views is not the least, tho often times a necessary Sacrifice to the Public Good. For the present I shall make no Parade of what I might have done for myself, or what I have done for the Public, and on the other Hand I shall not alter, even to yourself, some things the Publication of which would not redound either to your Ease or Quiet. I beleive you must be convinced that I am by no Means a hollow Friend, and I assure you that if compelled to be your Enemy, you shall find me a generous one. The Choice is in yourself, for I ask no more than that you will on proper Occasions do me the Justice to contradict Aspersions which you know to be false.[10]

I have the Honor to be, very respectfully, Your Excellency's most obedt. & humble Servant, Gouv Morris

RC (NHi: Reed Papers).

[1] Morris was responding to charges contained in a report of the joint committee of the Pennsylvania Assembly and Council that had been verbally presented to a committee of Congress on March 30. Although Morris did not attend the meeting, he probably saw Charles Thomson's summary notes of the state's complaints, which are printed with a discussion of the background of this meeting in Henry Laurens' Notes of Debate, March 26, 1779, note one. After the March 30 meeting, both Congress, on April 3, and the Pennsylvania government, on April 5, passed several conciliatory resolutions designed to promote "unanimity and harmony" between the two governing bodies. See *JCC*, 13:413-14; and *Pa. Council Minutes*, 11:737-38.

Morris, who had been vigorously criticized by Pennsylvania, chose to respond to the state's charges in this letter to Reed. Reed's April 16 response, which is also in the Reed Papers, NHi, was not overtly conciliatory, but this exchange between the two men helped ease tensions and led to the reestablishment of working relations between them. See Morris' letters to John Dunlap and to Reed, April 25, 1779.

[2] See these *Letters*, 8:640-42.

[3] No further documentation on this "Appearance" has been found.

[4] See these *Letters*, 9:123-25 and 10:57-59.

[5] See Henry Laurens' Memorandum, January 7; Robert Morris to the Public, January 7; and Laurens' Notes on His Remarks in Congress, January 9, 1779.

[6] For information on the William Thompson-Thomas McKean dispute, see Charles Thomson's Notes of Proceedings, November 23, 1778, note.

[7] Morris is undoubtedly referring to the public letter printed in these *Letters* as Morris to the Pennsylvania Packet, February 27, 1779.

[8] Reed had been elected president of the Pennsylvania Council on December 1, 1778. For a discussion of his election, see John F. Roche, *Joseph Reed: A Moderate in the American Revolution* (New York: Columbia University Press, 1957), pp. 147–50.

[9] See Morris to John Dunlap, April 22, 1779, note.

[10] See Morris to Reed, April 25, 1779, note 1.

Committee on Appeals Decree

April 10th. 1779

Brooks & Griffith qui tam
Libellants & Appellees vs.
Schooner Hope & Cargo Aaron Lopez
Claim[an]t & App[ellan]t

Appeal from
the State of
Connecticut[1]

We the Commissioners appointed by the honorable Congress to hear try and determine all Appeals from the Courts of Admiralty of the several American States having heard and fully considered as well all and singular the several Matters and Things set forth and contained in the Record or Minutes of the Proceedings of the Court aforesaid in the above Cause as the Arguments of the Advocates of the respective Parties in the above appeal do there upon adjudge and decree that the Judgement or Sentence of the Court aforesaid be in all its Parts revoked reversed and annulled and that the Schooner or Vessel called the Hope with her Tackle Apparel and Furniture and all and singular the Goods, Wares and Merchandize laden and found on board the said Schooner at the Time of her Capture as mentioned in the Bill of the said David Brooks and Joshua Griffith be restored and redelivered unto Aaron Lopez the Claimant in the said Cause And we do further adjudge and decree that the said David Brooks and Joshua Griffith pay unto Aaron Lopez two hundred and eighty Dollars for his Costs and Charges by him expended in sustaining and supporting his said appeal.

Wm. Paca
William Ellery
John Henry Junr.

MS (DNA: RG 267, case no. 28). In a clerical hand, and signed by Ellery, Henry, and Paca.

[1] A jury in the County Court of Hartford, Conn., had awarded the schooner *Hope* and her cargo, on August 22, 1778, to David Brooks and Joshua Griffith, commanders of two privateers that had captured the *Hope* while it was sailing to an undisclosed destination from Jamaica. The owner of the *Hope*, Newport merchant Aaron Lopez, had thereupon appealed the verdict to Congress, which referred the case to the Committee on Appeals on September 7, 1778. In this decree the committee reversed the state court's decision, ordering the *Hope* and cargo returned to Lopez. Brooks and Griffith subsequently appealed to the committee

for a new trial, but on February 19, 1780, their motion was denied and the committee ordered this April 10, 1779, decree into effect. See *JCC*, 12:886; and case file 28, RG 267, DNA.

That Lopez had come to Philadelphia to monitor the committee's proceedings in this and a companion case involving another of his schooners is evident from the following note to him from Connecticut delegate Jesse Root, dated "Philadelphia, March 31st, 1779." Root, who was attorney for Lopez when this case was tried in Connecticut, had himself been appointed to the Committee on Appeals on March 9, 1779, but avoided becoming formally involved in this decree. "I am called upon," Root wrote, "to attend a Committee of Congress at five O Clock this afternoon the time I appointed to wait on you—which I knew not of when I saw you this Morning. You will be so good as to excuse my not meeting you at that time & I will attend you at any other time you will nominate." Wetmore Papers, MHi. See also *JCC*, 13:297; and Committee on Appeals Decree, March 29, 1779.

Samuel Holten's Diary

[April 10, 1779]

10. Saturday. We had a letter from the Governor of S. Carolina, inclosing one from Genl. Lincoln, the news not very agreeable.[1] I ride out with Mesrs. Gerry & Whipple.

MS (MDaAr).

[1] The journals do not mention the receipt this day of any letters from John Rutledge or Benjamin Lincoln.

John Penn to John Williams

Dear Sir [ca. April 10, 1779][1]

I am sorry [that] you [. . .] promise, this is the 4th letter I have written [. . .] tho' I have not received a single line in retu[rn, how]ever I cannot help thinking but that some of [your] letters may have miscaried by the way as [I take] it for granted that you would at least write m[e. . .] my Children do.

The President left me ten days ag[o, he] is a very Sensible Clever man, so pleasing [to every] person that I seem al[most . . .] that I [. . . .] The pleasure that I received in his Company more than made amends for the expense or crowd that attended his being with me, his Lady is with him.

We have much to do, business increases tho' we meet at 10 oclock [& si]t till 4 frequently, every man is a Speaker [. . .] much time is spent in debates, we [. . .] and still are busily engaged in matters of [great] Importance. I shall stay as long as I can, [at] least till those matters are ended before I move as I wish to be present upon that occasion. I suspect the enemy will indeavr. to keep possession of New York & Rhode Island & plague us with Detachments sent to a distance. If we do but act with any degree of spirit this Campaign I am persuaded will be the last.

The French Minister is in a bad state of health, I fear he will be obliged to cross the water again in order to his recovery, remembr. me to all that ask after, Dear Sir, Your obt. Servt. J. Penn

RC (NcU: Williams Papers).

[1] Although a matter of conjecture, the dating of this letter is based on Penn's references in the second paragraph to John and Sarah Livingston Jay—"The President left me ten days ago;" and "his Lady is with him." Jay, who was apparenty lodging at the same residence as Penn, had long anticipated that his wife would join him in Philadelphia, and she apparently did so about April 1. When he wrote to her on March 21, he anticipated that the house he had acquired would finally be ready on the 25th, in which case he would immediately send her brother—Jay's secretary Henry Brockholst Livingston—to accompany her from "Persipiney" in Essex County near Elizabethtown, N.J., the country home of her father, Gov. William Livingston. See Jay, *Papers* (Morris), pp. 467n., 516–18, 520–21, 578.

John Jay to George Washington

Philadelphia 12th April 1779

Sir,

I have the Honor of transmitting to your Excellency herewith enclosed Copies of the following Acts of Congress—vizt: Of the third Instant, for trying Major General Arnold by a Court Martial on the charges specified in the Papers therein referred to, & which are herewith sent[1]—Of the 9th Instant, appointing four second Lieutenants in the Regiment of Artillery commanded by Colonel Harrison[2]—Of the 9th Inst, granting twelve months pay as Major to Monsieur De Bois to defray the expences of his voyage to France, & resolving that he be no longer considered as an Officer in the Service of the United States[3]—Of the 10th Inst, explaining the Order of Congress of the 20th of February last, by which the Proceedings of the Court-Martial, held at Fort-Pitt on Colonel Steele, were referred to your Excellency[4]—Which Proceedings accompany this Letter—Of the 3rd Instant, appointing Monsieur L'Enfant a Captain in the Corps of Engineers.

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient And Humble Servant,

John Jay, Presidt[5]

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See William Paca to the Pennsylvania Council, March 9; and Henry Laurens' Notes of Debates, March 26, 1779, note 1.

[2] For the appointments of Robert Burton, Robert Jouett, John Mosely, and Henry Vowles to Col. Charles Harrison's artillery regiment, see *JCC*, 13:432.

[3] Jay also enclosed a copy of this resolve in a brief April 13 letter to Maj. Pierre-François de Bois. PCC, item 14, fol. 86; and *JCC*, 13:432–33.

[4] The proceedings of Col. Archibald Steel's court-martial had originally been transmitted to Washington in Jay's letter to him of February 22, 1779. In response, Washington had indicated that he presumed the papers had been sent to him merely "for my opinion rather than my approbation or disapprobation of the sentence," and in conclusion reported "I shall therefore only say, that from the face of the evidence the sentence [acquitting Steel] ought in my opinion to be confirmed." See Jay to Washington, February 22, 1779, note 2; and Washington, *Writings* (Fitzpatrick), 14:264.

The matter was thereupon referred on March 23 to the Board of War, whose report lead Congress to resolve on April 10 that it was their original intent that Washington should make the final determination on Steel's case, "or direct such farther proceedings as he should think necessary." *JCC*, 13:353, 436. Following this clarification, Washington announced in his general orders of April 21 that he was confirming Steel's acquittal "of each and every of the charges made against him" and ordered him released from his arrest. Washington, *Writings* (Fitzpatrick), 14:423.

[5] This day Jay also wrote the following brief letter to paymaster William Palfrey. "You will receive herewith enclosed Copy of an Act of Congress directing a warrant to issue on the Treasury in favor of Coll. Richard Butler for the amount of certain Warrants drawn by General Washington on You." See PCC, item 14, fol. 86; and *JCC*, 13:437-38.

Henry Laurens' Notes on the Conduct of William Henry Drayton

[April 12? 1779][1]

The inclosed Letter & Papers were brought up to my House on Saturday Morning the 10 April 1779 by the Honble Mr. Drayton in a few minutes after a Letter from Mr Gervais had been sent to me by the Presidt. of Congress. Mr. Drayton & my self perused them & agreed to present them excepting a few parts which we judged improper to be made public to Congress. When Congress were collecting I asked Mr D. who with the President of Congress & my self were standing together & had been conversing of Carolina affairs, from whom he had received the Papers, he replied, from the President of the State, I answered the President of the State, that's extraordinary, then the Express must have come to him. The President of Congress said nothing & we seperated—in the Evening Durst the Express called on me, I asked him if he had been sent to the Presidt. of the State, he answered "No I don't know the Presidt. of the State, I carrd. all my Letters every one to the Presidt. of Congress here the next Door to you." Mr. Drayton had kept the Papers in his possessn till Monday Morning, & when he had then delivered them to me in Congress Room I said to him in presence of Colo. F L Lee, Mr. Drayton you told me On Saturday that you had recd these Letters from the President of the State, Yes says he, I thought so—but you recd them I find from the Presidt. of Congress—yes I find I did but I thought on Saturday they came from the President of the State. I withdrew full of contempt for Men capable of so much meaness & mean quibbling.

N.B. The President & myself live under one Roof he sent in the Letter to me from Mr Gervais. The Dispatches to the Delegates he chose to send in to Walnut Street[2] altho I am the eldest & the first Named in the Delegacy from So Carolina. Moreover he heard Mr D. tell me he had received the dispatches from the President of the State & by his silence discovered a consciousness of an unjust & affrontive partiality.[3]

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Mr Drayton & Mr President Jay's tricks."

[1] The episodes described herein by Laurens took place on Saturday, April 10 and Monday, April 12, 1779.

[2] That is, to Drayton's residence.

[3] Laurens' relations with Drayton had long been strained. Another incident illustrating the ill will that subsisted between the two men during the period they represented South Carolina in Congress is the subject of the following document, which was written and signed by Laurens' secretary Moses Young and dated "Philadelphia 10th March 1779."

"In the Month of May 1778 The Honorable Henry Laurens Esquire then President of Congress, proposed to me that I should act as Secretary to the South Carolina Delegation besides doing my duty in his Office, and therefore desired that I would wait upon Mr. Drayton at his lodgings some time that Evening, which I did, when he gave me the rough draught of a long Letter in his own name, to be sent to different parts of South Carolina, and directed me to make one and twenty Copies of it, with all possible expedition. I immediately set about it, but found it was impossible to do so great a quantity of writing* in the short space of time which Mr. Drayton seem'd to think was sufficient; besides, he made several alterations and a considerable addition to it after I had finished a number of Copies, so that I had the whole to begin again. In this manner I was entirely employed for several days, Mr. Drayton sending repeatedly for me, and complaining that the work was not finished. The President having writing for me to do, and finding my time wholly taken up by this business, desired to see the Letter, which when he found to be a private one, forbid my further attendance on that Gentleman, expressing his suprize that Mr. Drayton would attempt to employ me in copying his own private Letters, to the total neglect of my principal duty, when he (Mr. Drayton) knew perfectly well that the intentions of the President in giving up so much of my time, was, that I should Copy such Letters and other Papers only, as was done in the name of the South Carolina Delegation. Moses Young.

"N.B. I satisfied the Young Gentleman who assisted me, but have never receiv'd my compensation from Mr. Drayton for that nor my own trouble.

"*With Mr. Drayton's permission I employ'd a Person to assist me in making those Copies, who was very closely employ'd at it for two days."

Young obviously prepared this statement at the request of Laurens, who perhaps planned to show it to friends in South Carolina to vindicate his own conduct and discredit Drayton. It is endorsed by Laurens, "Major Young's declaration respecting Mr Drayton's employing him in May 1778," and is located in the Laurens Papers, no. 20, ScHi.

John Fell's Diary

Tuesday [April] 13th [1779]

Commercial Committee. Congress. A Number of Letters, Reports of Committees &c &c. Report from the Treasury to be Printed. P.M. Marine Committee.

MS (DLC).

Samuel Holten to Edmund Putnam

Dear Sir.[1] In the city of Philadelphia Apl. 13th 1779 (second street)

I shall make but little apology by way of introduction to this letter, my personal respect for you, as one of my absent friends, is my principal motive of addressing you.

The day on which I left home (and had to take leave of an affectionate family) and needed most the support of my friends, you was pleased to honor me with your company to the Town of Lynn; And I consider it, not ownly as a token of your personal respect, for me, but a full approbation of my conduct in the exertions I have made in the great cause of my country; and you may be assured, if I had nothing further in view than what respects me personally, I should immediately return to private life; But I consider myself called upon to Act, not ownly, for the present generation, but for ought I know, millions yet unborn.

Since I have been in the southern states, I have had opportunity of being acquainted with many of the principal people and have made myself somewhat acquainted with the constitutions & Laws under which they have lived; And I'm fully convinced that it is owing under providence to the care our fore-fathers took in New England,[2] in enacting such a good code of Laws, both to preserve our civil & religious liberties, that the people in this land are not now in a state of abject slavery.

I have ever considered this War as a judgment of heaven upon us, for our sins, as a people, and I'm very sure if their was a general reformation, we should soon see our difficulties removed; But the growing vices of the times, gives me great concern. As I have the pleasure of corresponding with a number of the clergy in New England, they all give me the following account, that they apprehend their is great danger of a general failure of the support of the gospel; But I can't yet bring my self to believe that my countrymen in New England, are so far degenerated; But if such an event should take place, and our churches be dispersed, I fear, we shall be a ruined people indeed; you may suppose it gives me real concern for the church of which I have the honor of being a member; and permit me, sir, to ask, whither you think our Revd. & worthy friend Mr. Wadsworth,[3] is encouraged & supported in the great work of the ministry as he ought to be? I do not pretend to know, for tho' I correspond with him, I take it, he has too tender a regard for his people to make complaints against them, but from my knowledge of you as a supporter of the church, are the reasons of my writing thus freely.

I have the honor of being acquainted with the minister of france, he is a sensible, agreeable gentleman, and has been the most active minister at his court in bringing about the alliance, and how honble. & advantageous it is for us, is now for the good people to judge, but I fear many of the people are not acquainted with the nature of the alliance, and are apt to think we are connected with the french nation, as we once were with Britain, but it is quite the contrary, His most christian Majesty, guarantees to us, sovereignty, independence &c. We are a young republican state, and are growing into importance with the nations of the earth; I wish we may be able to keep up to the true republican principles, and not copy too much after monarchical government.

It would give me pleasure to communicate some great affairs of state, but I'm not at liberty to add, at present.

Please to give my kind regards to Mrs. Putnam, and respectful compliments to your worthy brothers, Capt. Putnam & Dr Putnam, and inform the latter, that I did myself the pleasure of addressing him last July, but have not heard whither it came to hand. I am, my dear sir, with great respect & sincerity, your most obedt. humble servant;

S. Holten

RC (MiDbEI).

[1] Edmund Putnam (1734-1810) was a deacon in the First Congregational Parish in Danvers, Mass., of which Holten was a member. D. Hamilton Hurd, *History of Essex County, Massachusetts*, 2 vols. (Philadelphia: J.W. Lewis & Co., 1888), 1:434-35.

[2] Holten inserted an asterisk as this point, to which he keyed the following note at the foot of the page: "The eastern states are called (here) New England."

[3] Rev. Benjamin Wadsworth (1750-1826), a graduate of Harvard College, was the minister of the First Congregational Parish in Danvers. Ibid., pp. 454-55.

John Jay to Patrick Henry

Sir, Philadelphia 13th April 1779.

Herewith enclosed is a Copy of an Act of Congress of this day, requesting the State of Virginia to lend the United States one thousand Stand of Arms, for the Use of the Forces destined for the defence of South-Carolina & Georgia, & directing the Board of War to replace them without delay.[1]

I have the Honor to be, With great Respect, Your Excellencys, Most Obedt. Servant

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LB (DNA: PCC, item 14).

[1] See *JCC*, 13:444.

John Jay to Joseph Reed

Sir, Philadelphia 13th April 1779.

I have the pleasure of transmitting to your Excellency a copy of certain Resolutions of Congress of the third Inst, declaring the high Sense they entertain of the Importance & Services of Pennsylvania, & expressing a determination to observe a Line of Conduct which cannot fail to establish a mutual confidence between them & the several States they represent.[1]

Permit me to assure You of my best Endeavours to second the views of Congress and of my constant attention to such parts of my duty as may respect this State.

I have the Honor to be, With great Respect, Your Excellys. most Obedt. Sevt.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:413-17; *Pa. Archives*, 1st ser. 7:287-88; and *Pa. Council Minutes*, 11:741. With these enclosed resolves, the delegates hoped to end the bitter controversy between Congress and Pennsylvania that had developed in the wake of the campaign launched by the state in January to secure the prosecution of Gen. Benedict Arnold, the military commander of

Philadelphia. For several of the key documents pertaining to that controversy, see Jay to Reed, January 27; William Paca to Reed, March 3; Daniel Roberdeau to Timothy Matlack, March 6; William Paca to the Pennsylvania Council, March 9; and Henry Laurens' Notes of Debates, March 26, 1779. Just why Jay waited ten days before transmitting these important resolves remains something of a mystery, but an interesting document that may bear upon this puzzle is a brief letter that Jay may have written to Reed at about this time. Although it is not signed, it is entirely in Jay's hand. He dated it only "Tuesday Morning." As April 13, 1779, fell on a Tuesday, and because the letter can easily be read as a gesture designed to mollify the Pennsylvania Council, it is inviting to speculate that Jay timed the invitation contained in it to coincide with his transmission of the resolves he sent to Reed this day. The letter reads in full: "The President of Congress presents his Compliments to his Excellency the President of the State, and requests the favor of his Company at Dinner on Friday next. The President of Congress would do himself the Pleasure of sending particular Invitations to each of the Members of the executive Council, but as some of the Gentlemen now absent may before Friday come to Town, and undesigned omissions happen, he begs the President of the State will be so kind as to communicate a general Invitation to the Gentlemen of the Council, to apologize for their not receiving separate Cards, and to assure them that the President of Congress will be obliged by the Favor of their Company." Reed Papers, NHi.

James Lovell to Horatio Gates

Dear Sir, April 13th. 1779

I do not like Post Conveyance well enough to continue my former Topic. I will only say that the Figures which Doctr G——[1] left unexplained were to designate *the Plenipo* whose Spittle does not fall to the Ground.[2]

In Decr. a Memorial was presented to their High Mightinesses of Holland which will doubtless produce a *clear and explicit* answer as demanded by the King of France, in regard to their Intentions to support the Dignity of their Flag.[3] I imagine such an Answer has long since been given as will trouble Britain; for, it is reported from Surinam that Holland has *declared War.*[4] It cannot be true, in whole.

The Protest of 31 Lords upon a rejected motion to disavow the Sentiments of the Manifesto of Carlisle & Co. will please you. It appears from the Debates up to Decr. 15th that many high Officers in the Land & Sea Service are against the Ministry. I think that the true Symptom of an Overturn of the Cabinet.

I hope you are situated more *en militaire* than you was lately. I do not perhaps know all the moving Causes of your Destination, But you must meet with many more unpleasing Turns than I am yet acquainted with, before I shall place a single Pavement to lead you to your Farm. Let us not thus forward the Views of ill designing Men. They must be *watched*, not *left* to play their full Game.

I am listning with Both Ears to Business and cannot fallaciously even say I will write more, at *Leisure*, such a Prospect I have not. However I will now & then Say "God bless you" and repeat my affectionate Regards, James Lovell

RC (NHi: Gates Papers).

[1] "Doct'r G" is undoubtedly Dr. Joseph Gardner, to whom Lovell had directed Gates in a March 1 letter to obtain the alphabet key to the cipher—i.e., "Figures"—referred to here.

[2] Lovell is referring to an enciphered phrase from his March 1 letter to Gates: "Lickspittles of the Plenipo," i.e. supporters of the French minister Conrad Alexandre Gérard.

[3] The French ambassador to the United Provinces had presented a memorial to the States General on December 7 requesting a definitive answer on whether they would adhere to strict neutrality by defending their commerce against English seizures. Contrary to Lovell's expectations, the States General adopted an evasive answer which left the United Provinces free from direct participation in the war. Friedrich Edler, *The Dutch Republic and the American Revolution* (1911; reprint ed., New York, AMS Press, 1971), pp. 112–17.

[4] For the erroneous report from a ship captain that Dutch warships had convoyed American vessels from Surinam, an act apparently presumed to be possible only if the Dutch had already declared war, see the following entry.

Rhode Island Delegates to William Greene

Philadelphia April 13th 1779

Sir,

We have the honour to acknowledge the receipt of yours of the 11th & 15th of March.[1] Notwithstanding it is so long since they were wrote, yet they did not come to hand until the last evening owing perhaps to the Route of the post being alterd. We shall embrace the first favorable opportunity for laying the requests of the State before Congress, and will hope they will be complied with.

Congress have under consideration further measures for the defence of South Carolina. They had recommended to that State to purchase and form two battalions of black men, the purchase money to be paid by the Continent. They have also recommended to the States of Virginia and North-Carolina to inlist a body of militia for the defence of the Southern States, the bounty money to be paid by the continent &c. These examples will be in favour of the application of our State; but the large Sums of money which these bountys, and the bounty for recruiting the quotas of the several States, the purchase money before mentioned, and the necessary supplies for the main army require will be in our way.[2] However we shall exert our best abilities on this occasion, and if we cannot command Success we will endeavour to deserve it.

We are informed that the Captain of a Vessel which arrived here last Saturday from Surrinam advises that his and six other Vessels were convoyed from thence by a dutch Ship of War until they were thought to be out of danger from the enemy; and that the Governor had offer'd them Cannon &c for their defence.

All the news we have from So Carolina is in the paper. No foreign news hath lately arrived.

We are in great haste but with the highest Sentiments of respect, Yr Excellency's most obedt. Servts.

William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery and signed by Ellery and Collins.

[1] Governor Greene's March 11 and 15 letters are in William R. Staples, *Rhode Island in the Continental Congress* (Providence: Providence Press Co., 1870), pp. 212-14.

[2] The Rhode Island delegates subsequently proposed that Congress "pay the bounty, wages, cloathing and subsistence" of 1,500 men raised for the defense of Rhode Island. Afraid of setting a dangerous precedent that would establish Continental responsibility for bounties and wages above Continental Army rates, the delegates engaged in lengthy debate and complex political maneuvering before approving support for an additional brigade of Rhode Island troops on May 4. See *JCC*, 13:468-71, 476-78, 14:504-6, 539-40, 546-48; and the letters of the Rhode Island Delegates to Greene, April 20 and May 4, and to Congress, May 3, 1779.

William Whipple to John Langdon

My Dear Sir, Philadelphia April 13th 1779

Your two favors of the 13th and 22d ulto are just come to hand. I have rec'd the letters you mention, but you made a mistake in the No. I thank you for the open letter to the Commercial Committee. I wish you had been a little more particular in describing the miserable order the goods came in &c. It affords me great satisfaction to find you have had a supply of cash, as I know it must relieve your anxiety. I am happy to find you have taxed so largely, but still wish you had gone higher—this is the time to lessen the quantity of circulating paper by high taxes—nothing will more effectually cure the evil you complain of; though other measures must be pursued.

I understand you are calling town meetings to oppose certain Acts, instead of opposing those Acts, I wish some plan would be adopted to banish from the country those wretches who are and ever will be curses to Society. The enclosed paper will show you what this State is doing with the estates of such cattle.[1] Being this minute called off I have not time to write to Mrs W. as I intended by this post which you'll be kind enough to excuse for me.

Yours most sincerely, Wm Whipple

Tr (DLC: Force Collection).

[1] The Pennsylvania Council on April 12 began preparations for the sale of many estates forfeited by loyalists under the confiscation act of March 6, 1778. *Pa. Council Minutes*, 11:745-47.

John Fell's Diary

Wednesday April 14th. 1779.

Commercial Committee. Congress. Sundry Letters Read. On Motion for supplying the Officers with sundry articles at the Price things were when they Entered the Service & whether by the State they belong to, or by Congress—long Debate.[1]

MS (DLC).

[1] This day Congress recommended to the state legislatures that they provide officers rum, sugar, chocolate, coffee, and tea, at fixed rates, and "that an agent be appointed to supply the officers not belonging to any particular State." *JCC*, 13:450–51.

John Jay to George Washington

Sir, Philadelphia 14th April 1779.

This morning I had the Pleasure of receiving & communicating to Congress, your Excellency's favor of the 12th Inst.[1] The enclosed Act, on the Subjects of it, will inform your Excellency, that Congress cannot agree to the Request of Major Harnage & Captain Hawker, but do not object to their remaining where they are[2]—And that the Proceedings of the Court Martial in the case of the Officers at Springfield, (herewith enclosed) are returned, that such order thereon may be taken, as your Excellency may judge proper.[3]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient & very Humble Servant,

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 13:448. Washington's April 12 letter to Congress is in PCC, item 152, 7:247–48, and Washington, *Writings* (Fitzpatrick), 14:369–70.

[2] *JCC*, 13:448–49. Maj. Henry Harnage and Capt. Earle Hawker, who had been captured with Burgoyne's army at Saratoga in October 1777, had remained behind in Massachusetts to recuperate when the Convention Army had been moved to Virginia. Harnage's March 27 letter to Washington requesting permission to travel by water from Rhode Island to Virginia to join his regiment is in PCC, item 152, 7:251–54.

[3] See Jay to Washington, February 15, 1779.

Massachusetts Delegates to the Massachusetts Council

Sir Philadelphia April 14th 1779

Mr Cumberland Dugan having represented to Us, that he was authorized by the Board of War of Massachusetts Bay to purchase a Quantity of Flower in Virginia & Maryland on the publick Account, & that he could not pass the Notes issued by the Treasurer of the State for that purpose, We have requested Michael Hillegas Esq. continental Treasurer to exchange sixty thousand Dollars agreable to the Tenor of the inclosed Copy of a Letter to him,[1] in Expectation, that the honorable Assembly will approve thereof, & authorize a proper person to receive the Notes so exchanged in Part payment of the Warrant issued the 5th Instant by Congress in Favour of the State for one hundred & fifty thousand Dollars.

Mr Dugan, having also informed Us, that the executive Council of Maryland had refused to permit him to export Flower, unless upon the express Application of the executive Council of Massachusetts Bay, We have this Day applied to Congress on the Subject. To remedy the Objection, they have passed the Resolution inclosed;[2] notwithstanding which, it may be expedient for the honorable Council to transmit to Mr Dugan such an Application to prevent further Delays. We remain sir with the greatest Respect, your most obedient & very hum. servants,

Samuel Adams James Lovell

E Gerry. S. Holten

RC (M-Ar: Revolutionary War Letters). Written by Gerry, and signed by Gerry, Adams, Holten, and Lovell.

[1] The Massachusetts delegates had written the following note this day to Michael Hillegas: "It is the request of the Delegates of the State of Massachusetts Bay now in this City that you exchange for Mr. Cumberland Dugan Sixty thousand Dollars, and receive the amount thereof of him in Notes issued by the Treasurer of the sd State. And we hereby authorize you to pay the said Notes in discharge of such draughts as shall be made on you by the sd. State for the One Hundred & fifty thousand Dollars for which they have a Warrant on you issued the 5th of this month by order of Congress." Revolutionary War Letters, M-Ar.

[2] See *JCC*, 13:449; and Massachusetts Delegates to Thomas Johnson, April 16, 1779.

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia 14th Apl 1779[1]

Your two favors of the 13th & 20th Ulto came to hand Yesterday.[2] The reports you mention were form'd in this City & I find they lost nothing as they travelled Eastward. That the Spanish Court are well disposed to us, I have no doubt, indeed I am warranted to say that an alliance[3] might have been concluded e'er this if *we* had done *our* duty. There are Villains in all societies, & were I to say there are none in ——— you wod charge me with what I mean never to be guilty of; You say you are sick of the war, so am I, but I am much more sick to think that the Glory of America shod be tarnished by the artifice of a few Rascals who are endeavouring to frustrate every measure that is proposed for the real interest of their Country. I feel much disposed at this moment to carry my Raillery to a considerable length, but lest you shod charge me with imprudence I will drop the subject & refer you to Mr. Frost for particulars.

I am by all means for doing justice to the Army but at the same time we ought to remember that justice is also due to the Citizens, the Officers ought to consider their seven Years half pay as some compensation, many other things have been, & will be done by Congress, some are now under consideration, I think the proposals you have made are sufficient to satisfy any reasonable beings, and beyond that no Government ought to go. I don't know why you shod suppose I shod think you Gloomy; Your letters have not that complection. I agree with you that Members of C— ought to be inform'd of every difficulty & danger & I am sensible it is their duty to Guard against them, this I shall always endeavour at with all my might, but I am determined never to suffer a cloud to environ my Heart.

Many days have been spent on the subject of the flaggs that brot the proclamations &c but nothing has yet been determined, however the business is in such a train that I expect a determination will soon be had.

Mr. Frost talks of seting out tomorrow, & I hope his place will soon be filled, and that sombody will be chosen to supply my place,[4] tho' my anxiety for a determination of some matters now under consideration inclines me to tarry till they are finished, if my health will admit of it. I shall be more particular on this subject hereafter, in the meantime believe me to be with great [haste], Your sincere Friend & Very Huml Sert,

Wm. Whipple

RC (PHi: Gratz Collection).

[1] Whipple apparently drafted another letter to Bartlett this day also, which for some reason he did not complete. The following unfinished draft of a letter, in Whipple's hand but with no recipient designated, and dated only "Philadelphia 1779," is located in the Capt. J.G.M. Stone Collection, Annapolis, Md. Whipple's acknowledgment of letters "of the 13th & 20th Ulto." in both this letter to Bartlett and the undated draft suggest that he simply abandoned the draft and began afresh when he wrote this letter.

"I am favored with yours of the 13th & 20th Ulto. The boldness of the Tories I am apprehensive is in some measure owing to the conduct of the whigs. Are not those last inattentive to the public good? Does not the love of ⟨*filthy Lucre*⟩ gain engross their attention and direct their views to objects unworthy the persuit of Patriots? Are they not enervated by luxury, & dissipation? The spirit of avarice that now pervades America is by far the most powerfull Enemy that we have to contend with, to this is owing the miserable state of the paper medium with every concomitant evil. If I could see a spark of that virtuous Zeal which blazed with such distinguished lustre in 75 I shod have great hopes that better days were not far distant, but the fire of Patriotism seems to be intirely extinguished & a groveling avaricious spirit, has Usurped the seat of Public Virtue. The Military power of Great Britain is nothing compared with the other evils."

[2] Bartlett's March 13 and 20 letters to Whipple are in Bartlett, *Papers* (Meyers), pp. 246–49.

[3] In his letters to Whipple, Bartlett had discussed "sundry reports circulating here concerning a Spanish alliance."

[4] For information on George Frost's departure and New Hampshire's representation in Congress, see the notes to Whipple to Bartlett, April 6, 1779.

John Fell's Diary

Thursday April 15th [1779].

Commercial Committee. Congress. Letter from Major Gen Lincoln March 7, Per His Aid Major Mead. Letter from President Read and the Resolves,[1] relating to the Conferrence between the Congress and the Execitive Council & Assembly of the State of Pennsylvania to be Printed. Memorial from Sundry Surgeons and Doctors, Referred to the Medical Committee. Letter from Lt Governor of Virginia Reccomending Coll Bland to be allowd a Table, Refer'd to the Delegates of the State.

President Read sent in a Letter from St Eustatia with an Acct that Spain had acknowledgd the Independence of America. Report of the Board of Warr, Relating to the Regulating Waggons, Not determind.[2] Order of the Day for Consideration on foreign affairs, which occasion long Debates, and to very little Purpose.

Dr Wetherspoon at Congress. (Dined with Mr Lewis).

PM Marine Committee.

MS (DLC).

[1] President Joseph Reed's April 14 letter to Congress, enclosing conciliatory resolves of April 5 adopted by the joint committee of the Pennsylvania Council and Assembly, is in PCC, item 69, 2:49–52. The resolves are in *Pa. Council Minutes*, 11:737–38; and *Pa. Archives*, 4th ser. 3:722–23.

[2] The regulation of wagons was not acted on by Congress until April 17. *JCC*, 13:467–68.

Marine Committee to John Beatty

Sir April 15th 1779

We have received your letter of the 6th instant[1] and are now to inform you that we know of no Resolve of Congress which interfers with the right of each State to direct the disposition of Prisoners of war taken by the Powers of each State in the manner they shall think proper. But we have no doubt, but that every State will furnish you with any Prisoners they may have in their own right more than will be necessary for exchanging their own people whenever you shall request the delivery of such prisoners for the fulfilling any engagements you have made for the exchange of Prisoners. And we recommend to you to make such requests in the name of this Committee Stateing your engagements and the reasons of them.

We are Sir, Your hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Beatty's letter is not in PCC.

Thomas Burke's Statement Respecting Gérard's Views on Arthur Lee

[April 16? 1779][1]

I[2] declare upon my honor that I never said one word to any person in this World, neither in Europe, neither in America which could give a Just foundation for asserting that Mr. Arthur Lee had the full Confidence of the Court of France.

Soon after my arrival in America I was questioned on this subject in course of Conversation and in an Indirect manner by Mr. R. H. Lee and

Mr. Samuel Adams. Perceiving some attachment in them to Mr. A. Lee, and apprehending something like a party respecting him to subsist, and unwilling to say any thing that might be made use of on either side, I answered with caution and reserve, and only said in general that he was considered as a man of parts, that this Idea of him was founded more on the reputation he had brought with him from England than on any thing he had done amongst us. Several attempts were made to get me to declare whether he had the full Confidence of the Court of France, and I waived answering as much as good manners would permit, and only said generally that the Congress had confided in him, and therefore the Court of France paid him all due respect. In short whatever good I could with Justice say of the Gentleman, I said expressly. When Questions were put to me which might be answered against him, I observed a reserve and Silence from whence a man of Sense might easily conclude that the answers which must in truth be given to them, if I was pressed to it would not be in his favor. I was determined to this manner of conducting myself in the Conversation by my sense of good breeding, and my reluctance to speak evil of any person.

Mr. Saml. Adams afterwards pressed me closely, and directly to this point, finding I could no longer avoid it without rudeness, I determined to be candid and explicit with him, and accordingly delivered myself to him at large upon the subject to the following Effect.[3]

I must confess that Mr. Arthur Lee was suspected by People of all ranks, and even of the highest in France, of being unfriendly both to France and America, and the Ministry were sollicited to exclude him from all Negotiation. The Ministry observed that he was confidentially entrusted by the Congress, and therefore that there ought to be good proof of want of Integrity before a resolution should be taken openly to exclude him—they for this reason desired to know what proofs could be given—the following circumstances were then adduced, and much Insisted on. Mr. A. Lee kept up a continued connection with several Principle men in England who were intimate with the Cabinet, those persons came frequently to Paris and conversed with him privately, and unknown to the Ministry, and to his Collegues. He frequently sent his Secretaries and Messengers to London, unknown to his Collegues and the Ministry, and they returned again without their business or the result of their Journies being known either to his Collegues or the Ministry. He had no Intimate in France but Count Loriga[4] who was a man of high Spirit, high fortune, and high birth, and from the Misfortune of some Malady or disappointment had conceived great disgust against the French Court, Ministry, and Nation, had removed his Fortune chiefly into England, had connected himself with Charles Fox, and several of the English Politicians and usually railed against France in the manner of the most enraged Englishman. This man was generally observed to speak of the Conversations which Mr. A. Lee had had with the Ministry, and to publish the particulars without reserve, also to use the same angry and contemptuous Language which Mr A. Lee had been frequently hear'd to use against the French Nation and Ministry.

The Ministry however on Considering all those Circumstances did not think them proof sufficient to warrant their excluding a man who had been trusted by Congress from all knowledge of the Negotiations which related to them, and the Count ———[5] observed that he found there was some things which he had communicated to Mr A. Lee which he found Count Lorigà was not informed of, and he therefore Concluded that Mr A. Lee observed some reserve to this Indiscreet man—and that he might still be safely trusted with some Confidence.

Mr Laurens also Conversed with me on this Subject, and I observed the same Conduct as I did in conversing with Mr Lee and Mr Adams. Mr Laurens observed it, and told me he saw I was willing to say all the good I could but no evil.

Upon the whole the conclusion that Mr A Lee had the full confidence of the Court of France could only be drawn from my not denying it possitively which good breeding, and a reluctance to say any thing which might be used by his Enemies, if he had any, against him, prevented me from.[6]

MS (Nc-Ar: Secretary of State Records). In the hand of Thomas Burke and endorsed by him: "Conversation with Minister of France in presence of General Nelson relative Arthur Lee."

[1] Burke submitted this statement to the North Carolina Assembly in October 1779 with a report he delivered on "the variety of Business which came before Congress from the beginning of January '79 to the middle of August." During a debate on the subject of Arthur Lee, Burke explained, "a Gentleman from Massachusetts Bay (Mr. S. Adams) declared that he had it from the highest Authority, that Mr. Lee was not denied the full Confidence of the Court of Versails." Because Burke's reference to Samuel Adams pertains to remarks that Adams apparently made on April 15, it is reasonable to conclude that the incident Burke describes in this document occurred soon after Adams delivered those remarks. The fact that Henry Laurens and the French minister, Gérard, also had a conversation on April 16 on the same subject suggests that Gérard's meeting with Burke and Thomas Nelson herein recounted also took place at about the same time. See John Fell's Diary, April 6, note 2; Laurens' Notes Respecting Gérard's Views on Arthur Lee, April 21?; and Thomas Burke's Report to the North Carolina Assembly, October 25? 1779.

[2] The speaker is Conrad Alexandre Gérard.

[3] For the difficulties Gérard had in conversing with Samuel Adams, see the document pertaining to this matter that he delivered to Adams on April 21. A transcript of that document, made by Henry Laurens, appears as a preamble to Laurens' Notes Respecting Gérard's Views on Arthur Lee, April 21? 1779, printed below.

[4] Louis-Léon-Félicité de Brancas, comte de Lauraguais, who was also a major topic of the following document written by Richard Henry Lee concerning Gérard's views on Arthur Lee. The document, which is in the Samuel Adams Papers, NN, was printed by Burnett under the date April 21, 1779, but it could have been written at almost any time after August 1778 that Lee was in Philadelphia. Burnett, *Letters*, 4:170–71.

"At the time that Mr. Adams and R.H. Lee waited on Monsr. Gerard the Minister plenipotentiary of France to the United States in order to notify him of the time and place of his audience of Congress after the immediate business of the Committee was over and other conversation being taken up, Mr. Adams observed that he was concerned to find it had been reported that Dr. Arthur Lee was Antigallican. Since he was known here to have been among the earliest and firmest opposers of G. Britain—On which the Minister replied to this effect. I assure you gentlemen it is not the opinion of the Court of France that Mr Lee is Antigallican—There have been some idle people who have talked in this manner, and the reason was supposed to be, because Dr. Lee was intimate with Count Languois with whom he came frequently to Court—That the Count was a man of fortune and very talkative, that he was frequently speaking on American subjects, and the proceedings of the Court relative thereto—But as Men of information discovered that in all the Counts conversations he never hit upon the true designs of the Court, so they were satisfied that what he said was merely the conjectures of his own mind and could not come from Dr. Lee, who being well informed, if he had made communications to the Count, his frequent conversations must sometimes have discovered the truth."

Lauraguais apparently first appears in the correspondence of Congress in Silas Deane's August 18, 1776, letter to the Committee of Secret Correspondence. The comte de Vergennes, Deane reported, had recently told him in conversation "that the Count Laureguais was perhaps a well-meaning man, but not sufficiently discreet for such purposes as this; that Mr. Lee (meaning Mr. Arthur Lee, of London), had confided, he feared, too much in him, and wished me to caution him on the subject, and that if I could write to him he would inclose it in a letter of his by a courier that evening." Wharton, *Diplomatic Correspondence*, 2:118. For Arthur Lee's letter of February 15, 1778, to the Committee for Foreign Affairs enclosing a February 8 affidavit from Lauraguais concerning an offer of money and supplies made by Beaumarchais to Arthur Lee in London in the spring of 1776, see PCC, item 83, 1:155–56. Further information on the comte de Lauraguais may be found in Beaumarchais, *Correspondance* (Morton and Spinelli), 4:65n.1, 82n.7, 162n.2, 164n.6; and Benjamin Franklin, *The Papers of Benjamin Franklin*, ed. Leonard W. Labaree et al. (New Haven: Yale University Press, 1959–), 19:86n, 22:468n, 23:49n.

[5] Vergennes.

[6] For the congressional debate on the recall of the American commissioners in Europe and the principal documents bearing on the delegates' efforts to ascertain Arthur Lee's standing with French officials, see John Fell's Diary, April 6, note 2; Henry Laurens' Notes, April 21, 26, and 30; and William Paca and William Henry Drayton to Congress, April 30, 1779.

John Fell's Diary

Friday April 16th [1779]

Commercial Committee. Congress. Letter from Major Genl Arnold relating to his being tryed Per a Court Martial. Motion to lay on the Table Yas & Nas taken carried in the Affirmitive. Treasury Report for 1000000 Ds to Dr Potts, strongly opposed, all agreed there was great abuses in the Department. Yas & Nas taken carried in the Negative. Motion for 800000, Yas & Nas, Negative. Motion then for 500000. Yas & Nas carried in the Affirmitive.

Report from the Committee of the Post Office, Rais'd the Price of Postage double and advanced the Sallerys of the different Officers.

PM Marine Committee.

MS (DLC).

George Frost to Josiah Bartlett

[ante April 16, 1779][1]

Stock Jobing is now so Common I hope you will take hint & let this or Some other form be sent forward for your members to take without Loss of time.

This form is Sent here & taken by the members of Several States. A word is Sufficient.

I A. B. Do Solemnly Swear, That I am not directly or indirectly engaged in any Merchandize *by buying & selling for gain* & that I will not directly or indirectly engage in any Merchandize *by buying and selling for gain* during the Time for which I am appointed a Delegate to Congress.

MS (NhD: Josiah Bartlett Papers). In the hand of George Frost.

[1] Although this cryptic document is undated, it was probably prepared by Frost for Josiah Bartlett in the wake of debates in and out of Congress during the preceding winter on the need to curb the conflicts of interest of officials involved in commerce. By early 1779 a number of incidents involving Samuel Chase, Silas Deane, Cyrus Griffin, Robert Morris, and Meriwether Smith had surfaced, raising issues not only of private ethics but of public policy. Thus the Maryland Assembly dropped Chase from its delegation to Congress in November 1778, and the Virginia Assembly passed legislation in June 1779 requiring delegates to take an oath foregoing engaging in domestic or foreign trade, an action apparently aimed at excluding Griffin and Smith from the Virginia delegation in Congress. Frost was doubtless aware of the tide of anti-merchant sentiment building in several states and apparently sent this note and draft oath to Bartlett, a member of the New Hampshire Council as well as a delegate to Congress, to influence action in his own state. Exactly when he did so is unknown, but it must have been before April 16, the last day Frost attended Congress. New Hampshire took no formal action on Frost's proposal. See *N.H. State Papers*, 8:821. See also Meriwether Smith to Thomas Jefferson, July 6; Cyrus Griffin to Burgess Ball, August 10; and William Whipple to Richard Henry Lee, August 23, 1779.

Henry Laurens to John Laurens

My Dear son, Philadelphia, 16th April 1779.

I beg leave to refer to my last Letter to you under the 8th Inst. by Messenger Thomson.

The Delegates of North Carolina have continued perfectly silent since my address to them of the 8th. altho I know they had essayed a reply, but second thoughts are sometimes best. For two or three days they seemed to gnash, placidity followed & yesterday free conversation & harmless. These Gentlemen have roused me to look into the business which was the ground of their first rude resentment, I have discovered such records as had not been thought of by any body else, or to speak more certainly, had not been introduced—& I am confirmed in my original opinion—Justice & sound Policy, forbid receding from the Vote which has given those Gentlemen Offence. Expediency & necessity, which I do not admit, may be with equal propriety, be urged as good reasons for surrendering our

Liberty & Independency. I had viewed the detention of the Convention Troops, in the light of a great stroke & as not a trial, the Resolution of the 22d April 1778, another, this like the Sailor's gale of Wind, feels the heaviest but I am confident I shall weather it.

Six Merchant Vessels laden with various kinds of wet & dry goods arrived yesterday at this City after Passage of fourteen days from Martinico, 'tis said the Deane Frigate their Convoy is in the River, others say she was left off the Capes in pursuit of an English Privateer, we are also told that fifteen other Vessels were ready to Sail from Martinico for this port—not a word of Count d'Estaing or other Interesting public Intelligence has yet reached me.

Mr. Gervais will show you the Public Prints & Mr. Wells two New York-Garrison Papers which contain trifles.

It having been intimated to Mr. Langworthy that he had been sitting in Congress the last two Months without authority, he first examined very narrowly his old credentials, then said he had a new appointment at home, but has not exhibited his appointment nor himself since the 12th or 13th Inst. If it should be, as we believe it to be, that he has not a new mission, what shall be done with that Gentleman's important Yeas & Nays from the   of February last? Some people are so ill natured as to say, what I will not at present repeat.[1]

I have not heard any thing lately from Camp—write to me often & largely.

I pray God to give you success in all your laudable purposes & to bless you with health,

Henry Laurens.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] For Langworthy's attendance in Congress, see Edward Langworthy to John Houstoun, April 5, 1779, note 2. That Laurens was vitally interested in Langworthy's eligibility to sit in Congress and subsequently attempted to make a formal issue of the matter is apparent from Laurens' Notes of Debates in Congress for May 8, 1779.

Henry Laurens to William Livingston

16th April [1779]

Conscious of delinquency on my part in the correspondence which your Excellency had been pleased to honor me with, I had entertained hopes of waiting on you in my late journey into N. Jersey[1] and of obtaining your Excellencys forgiveness by making a candid acknowledgment of my trespasses. I was exceedingly mortified by a disappointment. I learned from your Excellencys dearest connexions that you were gone abroad but your locality not to be fixed.

At my return to this City I took up my Pen to make a long apology and promise better behavior and this I attempted more than once, the same mauvais hont which had duped me into Silence before I went into the Country continued its influence to my disgrace.

I will now open a Letter which has been staring me in the face some seven or eight days, if I find your Excelly has not totally discarded me I will not again expose myself to my own censure, the keenest of all the class of reproaches, if you have, honor and duty will oblige me to trouble you with one more address acknowledging the justice of the Sentence and in order to assure your Excellency that I shall nevertheless continue with the highest Esteem and affection, H.L.

LB (ScHi: Laurens Papers, no. 16).

[1] See Laurens to George Washington, March 2, 1779, note 1.

Massachusetts Delegates to Thomas Johnson

Sir Philadelphia April 16, 1779

We have the Honor of inclosing to your Excellency a Resolution of Congress[1] which is of the greatest Importance to the Inhabitants of Massachusetts Bay who are suffering extremely for the Want of Bread.

We rely upon it, that your known Humanity will strongly induce you to afford that Aid which may be necessary for producing the best Effects from the manefested Wish of Congress herein. We hope in particular that you will give Facility to the Loading of the Schooner Bonner, Capt. Stiles, sent by the Board of War of Massachusetts Bay, and now waiting at Baltimore.[2]

We are, your Excellency's very humble Servants,

Samuel Adams
James Lovell } Delegates in Congress
S. Holten

RC (MdAA: Red Books). Written by Lovell and signed by Lovell, Adams, and Holten.

[1] See *JCC*, 13:449; and Massachusetts Delegates to the Massachusetts Council, April 14, 1779.

[2] In response to this plea, the Maryland Council immediately instructed the naval officer at Baltimore to permit Captain Stiles to load and clear the grain and flour requested by Massachusetts. *Md. Archives*, 21:361-62.

William Whipple to Joseph Whipple

My Dear Bror. Philadelphia 16th Apl 1779

I have just time by Mr. Frost to acknowledge the receipt of Your two favors of the 15th & 23d march. I fully agree with you respecting Negociations with G. Britain but there is no prospect of coming to any terms, or even making propositions at present. We must expect at least one more Campain. We have been a long time without intelligence from Europe, the next we receive I Flatter myself will not be disagreeable to us, the Court of Spain undoubtedly are favorably disposd. Holland have taken off her restrictions on the exportation of Military Stores.[1] Had there been any such intelligence as you mention you may be assur'd I shod have given a hint of it tho an injuncion of secrecy might have prevented my disclosing the whole.[2] The paper currency concerns me more then anything, it is impossible to form an opinion what will become of it. It is the wish of Congress to appreciate it, a plan is now under consideration for that purpose but if this plan shod be adopted it will be a long time before it can take effect, to strike the whole deed at one blow wod be too dangerous an expedient while the necessaty of keeping a powerful Army in the field remains.

The papers will give you all the intelligence in my power to furnish at present. I long to quit a mode of living so extreamly disagreable but my anxiety for the events that seem to be at hand will keep me here some time longer. This goes by Mr. Frost I wish his place may be well filled, no one shod be here who is capable of indulging Gloomy Ideas or who is not a thorough Republican.

It gives me pleasure to hear our Families & connections are well. I hope you will be able to get a good Tenant at Kittery. When do you retire to the mountains? Let me hear from you as often as is convenient. Adieu.
Your Affect Bror, W Whipple

RC (MH-H: Sturgis Papers).

[1] For information on the erroneous reports of Dutch support of the United States that had recently reached America, see James Lovell to Horatio Gates, April 13, note 3; and Rhode Island Delegates to William Greene, April 13, 1779.

[2] In the absence of Joseph's letter it is impossible to determine William's precise meaning, but he was probably referring to reports than an "alliance" with Spain had been negotiated, which William also refuted in his April 14 letter to Josiah Bartlett.

John Fell's Diary

Saturday April 17th [1779]

Commercial Committee. Congress. Long debate about the manner of Gen Lincolns leaving, the Southern Army, on Account of His Ill State of Health.[1] Motion from the Delegates of Rhode Island to Raise 1500 Men, long Debated &c &c. Report from the Treasurey for 50,000 Ds in speicea to be sent to the Commissary General of Prisoners, Adjournd. P.M. M[arine] Committee on special Business. Dined with Mr. Jay.

MS (DLC).

[1] Gen. Benjamin Lincoln was this day given permission by Congress "to join the army under General Washington . . . when his health will admit of it." On the other hand, although President Jay wrote to Lincoln this day, he did not notify the general of this decision for nearly a month, after Congress was able to agree on a commander to succeed him. See the following entry; Jay to Lincoln, May 15, 1779; and *JCC*, 13:464–66. Lincoln, however, did not leave his command in South Carolina until after surrendering his army and the city of Charleston to the British in 1780.

John Jay to Benjamin Lincoln

Sir, Philadelphia 17th April 1779.

I have had the pleasure of receiving & communicating to Congress your Favor by Major Mead. It was referred to a Committee. Whatever Resolutions Congress may enter into respecting your Department shall be immediately transmitted.[1]

The Subjects of France in South-Carolina have offered to embody for the defence of that State. Congress has approved of their Proposal & recommended the Marquis of Bretigny to the Governor of South Carolina as a proper Person to command them.[2]

Enclosed is a Copy of an Act of Congress of the 14th Inst. restraining Persons from going within the Enemys Lines, unless authorized in the manner mentioned in it.[3]

I have the Honor to be Sir, with Respect & Esteem, Your most Obedt. & Hble Servt, John Jay, Presidt[4]

RC (MHi: Lincoln Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] General Lincoln's March 7 letter to Congress, which on April 15 was read and referred to the delegates of South Carolina, who were to confer with his aide Maj. Everard Meade on the subject of it, is in PCC, item 158, 1:243–46. Jay's statement that Congress' resolutions "respecting your Department shall be immediately transmitted" is incongruous in view of the fact that the delegates did in fact resolve this day to permit Lincoln "to retire from the command of the southern army" but Jay did not notify him of this decision until May 15, when his replacement was appointed. See *JCC*, 13:453, 464–66; and Jay to Lincoln, May 15, 1779.

[2] For Congress' April 13 resolve authorizing the formation of a corps of French volunteers in South Carolina under the command of the marquis de Brétigney to be borne as a Continental expense "while embodied in actual service," see *JCC*, 13:443–44. For the comments of Conrad Alexandre Gérard on the appointment of Brétigney, who had apparently been nominated for the post by Gérard, to command the corps, see Meng, *Gérard Despatches*, pp. 607–8.

For a previous, extraordinary measure adopted by Congress to provide for the "security and defence" of South Carolina and Georgia during this critical period, see Thomas Burke's Draft Committee Report, March 25, 1779, note 1.

[3] See Jay to Certain States, April 18, 1779, note 1.

[4] This day Jay also sent the resolves cited in notes 2 and 3 above to South Carolina president John Rutledge. PCC, item 14, fol. 88.

Marine Committee to Seth Harding

Sir April 17th 1779

You are directed to open this Letter when you are clear of Montough point.[1] We now desire that you will proceed with all expedition to the Capes of Delaware which you are to enter and advise us immediately of your arrival there, when we will send you fresh Orders.[2] When you get within sight of the light House of Cape Henlopen you will hoist a Pennant at your fore top mast head and a Jack at the main top mast head in order that you may [*be*] known from the Shore when they will send you a Pilot. When you get into the road oposite Lewis Town send your boat A Shore to that place with a Letter to Mr. Henry Fisher and direct him to forward your despatches to this committee with all possible haste.[3]

You will remain in the road until you receive our Orders unless some good reasons should induce you to run higher up the Bay, or you may have Opportunitys of taking some of the enemies Privateers which may appear in that time about the Capes. We wish you Success and are Sir,

Your Hble servants

LB (DNA: PCC, Miscellaneous Papers, Marine Committee Letter Book).

[1] The Marine Committee had also sent a brief covering letter to Harding this day: "On receipt of this you are immediately to proceed to Sea unless invincible necessity should prevent you, and when clear of Montough point you are then to open the enclosed Letter (and not til then) which will direct your future destination." Ibid.

[2] For the committee's further orders, see Marine Committee to Harding, June 2, 1779.

[3] For the committee's instructions to Maj. Henry Fisher, see Marine Committee to Fisher, April 21, 1779.

John Jay to Certain States

Philadelphia 18th April 1779.

Sir

You will receive herewith enclosed Copies of two Acts of Congress of the 14th Inst.—One to prevent Persons going within the Enemy's Lines unless authorized in the manner mentioned in it[1]—The other on the Subject of Permitting Persons under the direction of the Board of war of Massachusetts-Bay, if authorized by that State, to export Grain & Flour &ca.[2]

I have the Honor to be, With Respect & Esteem, Your Excellys. Most Obedt. Servt.

LB (DNA: PCC, item 14). Addressed: "To his Excellency Governor Clinton. N.B. The like verbatim to Govr. Livingston, President Reed, Govrs. Rodney, Johnson and Henry."

[1] *JCC*, 13:446–48. This seemingly routine resolution brought to conclusion an issue raised by Pennsylvania in its January 29 protest to Congress against the conduct of Maj. Matthew Clarkson, an aide to Gen. Benedict Arnold. Clarkson had on his own authority issued a pass to a civilian to enter enemy lines in violation of Continental policy expressly stating that such authority rested solely with the states, and Pennsylvania had long sought vindication for its stand against Clarkson. For aspects of this extended controversy, see Jay to Joseph Reed, January 27, note 2; John Fell's Diary, March 24, note 1; and Jay to Reed, April 13, 1779.

This day Jay also sent this resolution under cover of brief letters to the president of New Hampshire, "to the Governors of Rhode Island, Connecticut, No. Carolina & Georgia," and to Gen. Horatio Gates. PCC, item 14, fols. 89, 91.

[2] *JCC*, 13:449. For the background of this resolve and the recent difficulties Massachusetts had experienced in importing flour from the southern states notwithstanding Congress' resolve of February 26 on the same subject, see the letters of the Massachusetts Delegates to the Massachusetts Council of March 1, note 2, and April 14, 1779.

John Jay to Nathanael Greene

Sir, Philadelphia 18th April 1779.

Your favor of the 15th Inst was delivered to me last Evening, & shall be communicated to Congress in the Morning.[1] A Speedy decision, on the measures recommended in it, is important. The determination of Congress on the Subject shall be immediately transmitted.

Herewith enclosed is a copy of an Act of Congress of the 17th Inst, providing for the Enlistment of waggoners, & repealing a late Act on the Subject.[2]

I have the Honor to be, With Respect & Esteem, Your most Obedient Servt.

LB (DNA: PCC, item 14).

[1] See *JCC*, 13:472.

[2] Congress took this action in response to an appeal from Greene, contained in his letter to Jay of March 25, 1779, in which he had declared that Congress' March 16 resolve for enlisting wagoners would "produce nothing but distress and disappointment to the [Quartermaster] Department." "In the fluctuating state of our money," Greene explained, "the people will not engage for any *length* of time, unless the conditions of their pay is left to be govern'd by the state of the currency." See *JCC*, 13:320–21, 384, 444, 467–68; PCC, item 155, 1:119–22; and Erna Risch, *Supplying Washington's Army* (Washington: Government Printing Office, 1981), pp. 77–79. See also John Dickinson's Notes, June 11, 1779.

Jay had previously acknowledged receipt of Greene's March 25 letter in a brief letter to him of April 4. PCC, item 14, fol. 79.

John Jay to Jeremiah Powell

Sir, Philadelphia 18th April 1779

I have the pleasure of transmitting to You fifty blank Commissions for private Ships of war with an equal number of Bonds & Instructions. It gives me pleasure to find them so much in demand—It indicates a degree of Spirit & Vigor which merits approbation & encouragement.

Enclosed are Copies of two Acts of Congress of the 14th Inst[1]—one for preventing Persons from going within the Enemy's Lines unless authorized in the manner mentioned in it—The other recommends to the executive Powers of Virginia, Maryland, Delaware, Pennsylvania, New Jersey & New York to permit Persons under the direction of your Board of War, if duly authorized by the State, to export Grain & flour from those States.

I have the Honor to be Sir, With great Respect & Esteem, Your most Obedt Servt. John Jay, Presidt.

RC (M-Ar: Revolutionary War Letters). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See Jay to Certain States, this date.

John Jay to George Washington

Philadelphia 18th April 1779

Sir,

I was last evening honored with your Excellency's Favor of the 15th Inst.[1] and now transmit Copies of two Acts of Congress, One of the 14th Inst. to prevent Persons going within the Enemy's Lines unless authorized in the manner mentioned in it[2]—The other of the 17th Instant repeals a former Act of the 16th March respecting the Enlistment of Waggoners, & establishing other Regulations on that Subject.[3]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient & Humble Servant,

John Jay, Presidt.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] Washington's April 15 letter to Jay was read in Congress on April 19. See *JCC*, 13:472; and PCC, item 152, 7:255.

[2] See Jay to Certain States, this date, note 1.

[3] See Jay to Nathanael Greene, this date, note 2.

Henry Laurens to John Laurens

Philadelphia 18th April 1779.

My Dear Son.

I had the pleasure of writing to you the day before yesterday by Messenger Durst. Last evening the Packet which will accompany this came to me under cover from Colo. Hamilton, he says it contains two Letters from your Mrs. Laurens which puts me in mind to forward that which I told you had been illicitly opened.[1] You will also receive two Letters directed to Mr. J. Walton, one to Mr. E. Telfair & one to Count Pulaski which I recommend to the protection of Mr. Gervais or yourself.

The Marquis Britaigne who will be the bearer of this is anxious that I should recommend him to Governor Rutledge.[2] That will be done Marquis, in pursuance of an Act of Congress by the President—Ah! but I am not acquainted with Mr. Jay.

I then promised him to write to Mr. Gervais & to you, although he is personally acquainted with both, which gave him satisfaction; certainly if I were in Charles Town & the Marquis there too, I would show him every mark of civility & attention, & I am persuaded my friends will answer for me. This Gentleman's zeal in our cause must have cost him several Thousands of Louis d'ors, besides much personal suffering; he has been waiting upon Congress almost a whole Year in humble dependence, free from that inquietude which from almost all his Countrymen we have been witnesses of, & yet, there has been great stumbling at a proposition for allowing him 5000 Paper equal to about 400 Silver Dollars, nor did we surmount the difficulty in *one step*, first 3000, then 2000—carefully adding "he to be accountable." We swallow Camels & strain at gnats.

Our friend Baron Stüben had intimated expectations of pretty large pecuniary compensation, for his expences coming to & in America over & above the pay of Major General, & also for his own expences & those of Mr. Fleury, Mr. L'enfant & Mr. Duponceau, a Report was thereupon introduced from the Board of War, the whole seemed to me, to be incongruous with his propositions at his arrival in York Town,[3] I was therefore induced to call for certain documents & Papers relative to the subject in order to enlighten such of our Members as would otherwise have been ignorant, but I made no opposition to the Report, some busy Body must have taken an advantage of my conduct & misrepresented me to the Baron, otherwise the following dialogue three days ago when he dined with me could never have happened.

What is the reason Mr. Laurens that Congress will not allow me my expences, I told them I was not Rich & I am sure the Committee at York Town promised me.

Why Baron I cannot answer for the conduct of Congress, for my own part I would recommend to you not to press that subject at the present moment, every Member of Congress is sensible of your merit & deserving, I cannot just now so fully assign reasons, as I may at a future time, but if I were to advise, you would delay your demands until our affairs shall be a little better arranged.

☞His declarations to me at York Town were that he would expect nothing till the end of the War his running expences excepted—Congress gave him two or four Horses & a Commission of Major General, Paid all his Expences at & traveling from Boston, at York Town &c &c.

Well replied the Baron, for myself I will take your advice I will ask nothing yet—I will go to the Army & proceed in my duty—but why will they not do something for Fleury & the other young Gentlemen who have assisted me in my work?

Congress Sir, will undoubtedly do every thing that is just & reasonable, there's no Man who has a greater esteem & affection for Colo. Fleury than I have, but let us consider a little Baron is not Mr. Fleury now within one grade of Generalship, how long must he have served in his own Country before he would have arrived at this eminence, with large & honorable testimonials in his Pocket.

But my dear Mr. Laurens, Mr. President he cannot live by his appointment, & he must go home if you do not do something for him.

You very well know Baron, the state of our Army & the state of our finances—if the case be so, that Colo. Fleury cannot stay with us unless Congress will do something more for him & that Congress cannot do any thing more for him, the consequence will be that he must go home, I shall be very sorry for it.

The Baron, in no small shew of Choler & rage, although in presence of 4 or 5 other guests, answered, Then, I will go home, I will not stay.

O Baron Baron, you had just determined the contrary, excuse me for saying, this is really taking advantage of my candor, you will make me more cautious hereafter if you persist in these sentiments—what else could I have said, speaking as an honest Man, if Colo. Fleury cannot continue with us upon his present appointments & Congress will not because they cannot, with propriety, enlarge them—& he himself points out the alternative, what else could I have said, but I hope Baron you will not make me answerable for all the determinations of Congress. When I am there, I am an individual & speak my sentiments or give my voice without fear, prejudice or partiality. I pray you Baron think better of this matter. We went to dinner, the Baron looked grave, I made attempts to raise him, he retired earlier than usual & if I do not mistake with a consciousness of a little transgression. The Deanites are incessant in their endeavors to raise a dis-esteem for me in the minds of foreigners, but they make no more impression upon mine than they would upon adamant with a Goose quill. I will endeavor to do right, if I do not gain *their* applause, I shall nevertheless enjoy an assurance of having deserved it—to be an honest Statesman produces a Man some troubles, but not so many I believe as attends a dissembling knavish one, therefore I'll pursue the old track. I could recite another conversation with a greater Man than Baron Stüben which would more than equally astonish you, but, *it wont do.* & I think the irregular measures which are adopted are arguments, proving, why it ought not.

When Baron Stüben first addressed Congress he produced a Letter from Mr. Deane announcing him Lieutenant General & Quarter Master General in the King of Prussia's Army, hence I was led to give him the Title of Excellency, in my early correspondence; sometime after he went to Camp at Valley forge I was well informed that he had never advanced near the Rank of Lieutenant General, the Baron did not say to me that he had, but he did not disown it. Mr. Deane intimated that at some former time he had seen his Commissions, but that when he was about to leave Paris in order to embark for America he was not possessed of them, having left them in Germany, & this moment it strikes me, that the Baron might have misconstrued & misapplied my question, How long must Colo. Fleury have served? &c—but upon my honor I had no design to touch him nor, as I have said above, did I ever think of the subject in this light until the present Instant. However if he has committed himself it is not my fault. If he felt any thing like an attack it was from within his own Breast, neither duty nor inclination could possibly have misled me to upbraid a Man with whom I wished to have continued in friendship. But the times are distempered & the Devils of avarice & ambition are indefatigably improving them to their own advantage.

20th. 'Tis rumored the Enemy have taken the Town of Providence. I do not believe it. You will see the News Papers in Mr. Gervais's hands—tell me if my Country Men wish me to remain here. I don't mean a few of them, but generally.

I pray God bless & protect you, Henry Laurens.

RC (ScHi: Laurens Papers, No. 34).

[1] The letter from Alexander Hamilton to John mentioned here by Laurens, in which Hamilton enclosed two letters from England written by John's wife Martha Manning Laurens, is in Hamilton, *Papers* (Syrett), 2:34-39.

[2] For the appointment of the marquis de Brétigney to the command of a corps of French volunteers to be raised in South Carolina at Continental expense, see John Jay to Benjamin Lincoln, April 17, 1779, note 2.

[3] For the reception of baron Steuben at York, Pa., and at Valley Forge early in 1778, see these *Letters*, 8:594-95, 9:110n.4, 133-35.

Richard Henry Lee to William Shippen, Jr.

My dear Sir, Shippen Hall in 4th Street Phila. 18th April 1779

Possession is eleven points of the Law, and there are in this City Profligates enough who for a good fee will secure the twelfth point. Thus you seem to be more at mercy now than when Mrs. ——— the Tory Doctors wife[1] had residence here. How I came to get possession is another thing, and it may be accounted for this way—On my brothers[2] departure for Virginia last friday I was obliged to decamp from Market street, and it not being easy to find a lodging quickly, my most worthy friend the old Doctor[3] proposed that I should have a room here. The bargain was soon made, I am in your Chamber, and we propose to club for our Marketing. The old gentleman drinks nothing but water, & small beer contents me. The Barrack Master furnishes us with wood, and I assure you we live with great happiness and content, whilst we exhibit an example of the truest republican œconomy. After quitting the irksome business of Chestnut Street I have the pleasure of contemplating in my old friend what Man ought to be, but what alass he seldom is—temperate, wise, and honest. I am much obliged to you for your favor of the 15th,[4] but I do not despair. I am well satisfied however that we must suffer very considerably before the States in general will feel the necessity of sending wiser and better men to this Assembly. Where a Man by being honest is sure to be oppressed—Where disgrace & ruin are to reward the most faithful services. When the discharge of duty raises up the angry and malignant passions of envy, malice, and all uncharitableness—It is best to retire until necessity has pointed out proper men and proper measures. The party seem long since to have abandoned all thoughts of supporting Deane, but they are determined to sacrifice the Mr. Lees & Mr. Izard to the Manes of their dear unprincipled friend. The doctrine is, that it is too expensive and not necessary to have any Minister at Vienna or Berlin or Tuscany, and that it will never do to *try* a Man in his absence. Therefore we will damn his reputation with a recal,[5] and let him recover it if he can, in the mean time our Junto will be supplied with places. It is in vain to say that thus to destroy the reputations of Men against whom no shadow of offence appears, and who on the contrary have honestly and ably served the public at every risk to themselves, merely to gratify the wishes and accomplish the views of avaricious and ambitious men, will exhibit such an example as must deter every Man who has character to loose, and means to be honest, from entering into the public service. That so the public business must of necessity be committed to unprincipled men, and avaricious plunderers. By the aid of a certain *little great whispering* politician[6] this point of sacrifice will I think be carried. Fine reward, excellent encouragement to give up all pro patria. On a late motion to give a million to the Hospital department much violent debate took place and it was insisted on that infinite abuses prevailed and demanded immediate enquiry.[7] It was alledged that great quantities of Stores were charged for Geese, ducks, chickens, &c &c &c &c—That the wine was all drank by the well, & not by the sick—All this ended in reducing the sum to 500,000 dollars. The Southern *Chief*,[8] who you know is a most excellent character, said he hoped soon for an enquiry into the conduct of the Director General and all the rest. Therefore a prospect of encountering so great a personage makes it necessary to say Cave quod agis. The Dutch having lately taken off the prohibition from the exportation of military stores, which they had imposed to oblige Great Britain, clearly proves that the interest of England is waining in Holland. There have arrived 7 Vessels here lately from the West Indies, which has terrified the Specs and lowered the price of sugar £20 in the hundred. It is said that many more Vessels are expected. Trade appears to thicken along the Wharfs and Marine business is recovering its former countenance. I shall go to Virginia in a fortnight where I hope to rest from public toil for some time at least. I think you are with Mr. Blair & his Lady, if so, I pray you to remember me to them, and present my Sister and Cousins.

I am yours sincerely and affectionately, Richard Henry Lee

RC (DLC: Shippen Family Papers). Addressed: "William Shippen Junr. esquire, Director General of the Hospital of the United States, at Raritan in New Jersey."

[1] That is, Rebecca Moore Smith, the wife of Dr. William Smith.

[2] Francis Lightfoot Lee.

[3] That is, William Shippen, Sr., a delegate to Congress from Pennsylvania and the father of the addressee.

[4] Shippen's April 15 letter to Lee is in the Lee Family Papers microfilm, ViU.

[5] For information on the origins of the "recall debate," see John Fell's Diary, April 6, 1779, note 2.

[6] A reference to the French minister, Gérard. In his April 26 letter to Francis Lightfoot Lee, Richard Henry refers to the aid given Arthur Lee's political opponents by "the whispers of G——d."

[7] For the votes taken on April 16 to reduce by half the sum recommended by the medical committee, see *JCC*, 13:460–63. For further information on attempts to reform the medical department, see Gouverneur Morris to Shippen, May 17, 1779.

[8] Undoubtedly Henry Laurens, who along with William Ellery and John Jay voted against all three appropriations proposed on April 16. *JCC*, 13:460–63.

John Fell's Diary

Monday 19th Apl. [1779]

Commercial Committee. Congress. Letter from Genl Green reccomending many alterations in his department. Letter from S Deane. Letter from Genl Irwin and other Prisoners Referd to the Board of Warr. Memorial with a Flag from Bermuda for Provision, committed to 3 Vizt. Ellery, Laurens and Fell.[1] Letter from Major Genl Schuyler for leave to Resign his Commission, granted, and Reccomending Blankets to be sent to the Indians Referrd to Bd of Warr.

Report from the Board of Warr Reccomending when a Colonel is on Brigade Duty, that he be allowd 6 Rations extraordinary, agreed. Treasury Report for 1 Million for Coll. Flowerss department, allowd 500,000. Motion for Rhode Island to Raise 1500 Men for a Year to be allowd the Cloathing &c and £6 Per Month and 200 Doll Bounty, Ys & Ns carried in the Negative then 150 Ds, Ys & Ns Affirmitive 5 Ys 3 Ns 2 devided. Long Debate.

MS (DLC).

[1] The memorial of the Bermuda inhabitants for permission to import grain from the United States faced strong opposition because of fears that provisions shipped there would fall into the hands of the British navy. After an unfavorable committee report was recommitted on April 23, Congress voted on May 7 that it was "highly inexpedient to grant the prayer of their memorial." Renewed efforts by Capt. Leonard Albouy finally produced favorable action on May 18, when Congress voted to recommend that Pennsylvania, Maryland, Delaware, Virginia, and North Carolina each allow the export of 1,000 barrels of corn to the Bermuda islands. *JCC*, 13:471-72, 14:501-2, 553, 555-56, 595-96, and 608-10.

Henry Laurens to William Livingston

Dear Sir 19th April [1779]

Your Excellency's favor of the 20th Ulto[1] I had not dared to open until my late penitential Address of the 16th Inst had been despatched, speaks your kindness and even partiality to poor-me, and demands my most humble acknowledgments. No, my dear Sir, I had never the vanity to believe you had courted either the President, or the Mr Laurens. I could very exactly trace out my late fault from its origin, in the beginning I was not so much to blame but when I reflect upon the whole progress, shame covers me, and especially at this moment when your friendly Letter above mentioned lies in my view. I must say as we used to say, some forty or fifty years ago, "Indeed Sir I will never do so again."

"I hear there are divisions amongst you and I partly believe it," True, pretty true Sir. Did your Excellency ever know it otherwise amongst Men who were not all of one Mind? And yet 'tis that plaguy thing being all of one mind which produces the division. Your Lawyer-Apostle Sir, and we know that ever in this pure age that pious tribe, meaning no offence to anybody, undertake by the same chain of reasoning to prove right and wrong. I say Sir your Author also tells us "for all seek their own." Is not this being all of one mind? but anyhow as they say in this Country, if Your Excellency will not affirm this sophistry to be good Logic, you will at least understand me. If I thought it were possible to be otherwise I would give another Scrap from Holy writ "Loaves and Fishes" should this fail, I would add in plain terms, but it should be said in Your Excellency's ear and to remain there a few days longer, that a certain Man pressing upon his Masters the necessity of employing him again in a Public character,[2] attempting to shew in one view his desire and his pretended abilities for obtaining a large sum of Money on Loan, was at the same time engaged in co-partnership with no less than five of his said Masters within the Walls, and with other Persons of power and influence within a small circumjacent circle. Trading Houses were, and for aught I know to the contrary, are to be established on both sides the Atlantic in various parts forming in the whole a magnitude far exceeding anything known in the annals of American Commerce. This is saying the least. Would not the full execution of this project be both safe and honorable to the thirteen United States of America? Can I meanly, tamely look on such proceedings? No! why then Sir, divisions follow. I have neither Ambition nor avarice to gratify. One third part of my Estate is absorbed—the remainder is in very great jeopardy, and here I continue contentedly drudging without sleeping one wink the less from apprehensions of what is passing, in Carolina, but notwithstanding, this quietude of mind under losses and accidents inevitable and irresistable. I hate and oppose Knaves, those more especially who had persuaded me to believe them honest. Sometimes with Mercutio I say "a pox o' both their houses," and when they vex me very much, I exclaim in the language of honest Othello, "Let their own Gods damn them,"[3] The cursed business which is alluded to, has employed your Servants in doing nothing several Months.

The contents of the "Budget" as far as I am acquainted with them have been from time to time retailed in the Newspapers by some diligent hand, well acquainted with the whole subject—the difficulty will be to collect and arrange the several parts to this, and the whole story will be seen in a string.

But to be more serious. Indeed Sir I do not think all the present Attornies nearly equal to a right discharge of the momentous business at this instant committed to them. Ask, who's incompetent? I will honestly and unostentatiously answer I, and yet my Country will keep me here. More ample abilities stay at home to save and to make money, and to kiss their Wives.

But let us turn Sir to Congress where you "hope things grow smoothly and that all are patriots in the ancient sense of the word." Upon my honor Sir scarce as such jewels are, I believe that taking into consideration numbers and circumstances of wealth, real or imaginary, There are as many patriots now on this Land as History can shew to have been in any Country, at any one period of time. Reduce us all to poverty and cut off or wisely restrict that bane of Patriotism, Commerce, and we shall soon become Patriots—but how hard is it for a rich, or covetous Man to enter heartily into the Kingdom of Patriotism?

As to the "smoothly" I may reply, we are sliding downwards, in which there is no great difficulty. We have learnt to depreciate the value of our Paper by Financeering, One thing may save us. This can only be accomplished by our Constituents. Order the doors to be opened that every Citizen may know what his servant is doing, particular cases excepted, or clamour until the Journals are printed and published weekly.

Our Chaplain had so long prayed to God to bless *us*[4] whom he had set *over* so great a People; as perhaps had intoxicated some of us into an opinion of being actually set over the People, But I gave the Doctor[5] a hint t'other day, and he now prays, "for whose service they are appointed."

Sir I dare not say all to you that I wish, but I dare say, and dare cry aloud that these States are in very great danger of a most violent convulsion.

I will say no more at present but to thank you again Sir for your kindness, and to repeat that I am, with the highest Esteem &c,

H.L

[*P.S.*] It is said the Room is not large enough to admit of open doors—an excellent reason lose the States in preference to building a proper room.

LB (ScHi: Laurens Papers, no. 16).

[1] Livingston's March 20 letter is in the Laurens Papers, ScHi.

[2] A reference to Silas Deane.

[3] For the words of Mercutio, see *Romeo and Juliet*, act 3, sc. 1, lines 95, 103, 111. The passage attributed to Othello has not been identified.

[4] In Laurens' letterbook the letter "*C*" is written over "*us*," doubtless signifying Congress.

[5] A reference to either George Duffield or William White, the two chaplains of Congress. As neither of them was at this time the holder of a D.D. degree, Laurens' reference can only be conjectured.

James Lovell to Horatio Gates

Dear Sir, April 19, 1779

Your favors of March 26th and April 1st came safely to hand two days ago. We are once again indebted to the Chapter of Accidents for the failure of a serious Incursion into Connecticut, unless the whole of the Appearances on long Island were a feint to draw part of our *grand* army, as it is called, over the north river, that an Attempt might be once more made against this City up a River *known* to be defenceless. I should be sorry to have Providence destroyed; but, tho' you are almost breadless, I wish you had Clinton 25 or 30 Miles from the Water. I think you may draw his enterprizing Genius into a Trap unless sly Sr. Wm. Erskin keeps the Lookout.

Genl Lincoln is not able to tarry in Carolina, his Wound is as much irritated as it was at 6 Months from his receiving it, and his Health is impaired. I hope he will be able to stand the Journey back. I believe Moultrie will take the Command.[1]

Schyler's Resignation was this day accepted.[2]

I am in hopes Rh. Island will be allowed to raise a Body of Men for a year.[3] But they must not be raised on such terms of pay as to give just Cause of discontent to the continental Batallions. I expect great opposition to the Scheme here & at Pluckamin "where the Artillery is."[4] We pretend here to *know* that the Enemy have almost no force at Rh Island, and we learn it from one who never yet had the faculty of employing Spies properly.

You seem to have a deal of News in the eastern Gazettes about Peace, where do you receive it from? I imagine that we might have it for *asking* for if we would not only give up what we have no Claim to, Canada, Nova Scotia & the Floridas, with what we *have a right to.* I mean Cod & Haddoc. But we assuredly have had no Proposals from *Britain.* I admire the Thought of writing the Treaty of Peace with the Bayonett.

I wish you to give every advice where there is any chance of Succeeding to shew Britain that she will hold a *discontented* Province of Nova Scotia.[5] I hope what we have lately done here may be an entering Wedge to substantial Work. I will be more particular by a safer Conveyance than the Post. You must find Support in yr. new Station from Genl. Washington; if it was only the *Delay* in transacting Business here you would be a sufferer by applying, but it is also a plausible Doctrine here that we are not *Generals* and therefore cannot & ought not to destinate the Forces. I have conversed with you on this point before and see to who it leads.

We daily more & more stand in need of such men as you therefore do not allow yourself to think one Moment of turning Farmer.

Your Perplexities in the military Way from depending on the Opinions of others are not less than what some of your best Friends continually experience in what you term the Senate here. Unprincipled Young Men & conscript Fathers were not formerly mixt together. Yrs. affectionately,

J. L.

RC (NHi: Gates Papers).

[1] See John Fell's Diary, April 17, 1779, note 1.

[2] See John Jay to Washington, April 20, 1779, note 1.

[3] See Rhode Island Delegates to William Greene, April 13, 1779, note 2.

[4] Pluckamin, N.J., where artillery winter quarters and the command of Gen. Henry Knox had been established.

[5] See John Fell's Diary, April 7, 1779, note.

Marine Committee Report

State House 19 April 1779.

The Marine Committee determined on Saturday evening the 17th instant to dispatch the Packet Eagle to Charles Town with Military Stores—That she should be convoyed part of the way by the Cutter Revenge of 18 guns provided the State of Pennsylva. could spare the Revenge for that purpose

That the frigate Deane of 30 guns should convoy the Packet the whole way to Charles Town.

The Chairman of the Marine Committee has waited on the President of Pennsylvania and find that the Cutter Revenge is not at the disposal of the State, it seems doubtful therefor whether the Cutter can be obtained, so that the Deane frigate can only be relied upon for Convoy.

The Committee were desirous of collecting a Marine force in order to attack the enemies Ships on the Coast of Georgia—And the best measures are taking to get together the following Ships, Confederacy of 32 guns, Warren 32, Deane 30, Ranger 18, Queen of France 20. The first of these Ships we hear is blocked up at New London, but the Committee think she may get out and have directed it accordingly.[1] The Deane is now in the Delaware. The other Three it is expected are cruising between Delaware & Charles Town. Richard Henry Lee Chn. M. Committee

MS (ViHi: Edmund Jennings Lee Papers). Written and signed by Richard Henry Lee.

[1] For the committee's instructions to the commander of the *Confederacy*, see Marine Committee to Seth Harding, April 17, 1779.

Marine Committee to the Eastern Navy Board

Gentlemen April 19th 1779

Since our last of the 26th ultimo we are favoured with yours of the 24th of the same month.[1]

Your design of sending a force to intercept the Hudson Bay Company Ships and perhaps to surprize and carry their factory meets our approbation—this Committee as well as your Board have had it often in contemplation; we therefore approve of the proposition made by the owner of a Privateer of twenty Guns, and agree that the Boston, instead of the Providence, shall be join'd with her and sent on the expedition above mentioned.[2] If you deem it necessary that the Ships should have a Tender, you may if you think proper, employ one of the Packets lately built, in that way. You will no doubt before the Sailing of these vessels draw up a plan to direct their proceedings. To assist you in that plan, we enclose some hints respecting the expedition which probably may be serviceable.[3] The Vessels we think Should have their full complement of Marines, and we need not mention how much the Success of the plan depends upon the secrecy with which it is conducted.

We again request your endeavours for the Speedy manning of the Frigate Providence, she will be wanted very soon for an important business which we hope you will have her ready to execute. She should Still have on board the quantity of Provisions we formerly Ordered. We are Gentn, Your Hble servants

P.S. enclosed are Coppies of Accounts of William Bingham's Esqr at Martinico for Disbursments of the frigate Deane, Captain Nicholson and for the Brig Genl. Gates, Capt. Waters which accounts we consider as being very extravagant, and desire that you will examine them and judge what articles were proper for the use of the Vessels, and such as you deem superflous you are to charge to the respective Accounts of the said Commanders & deduct from their pay on settlement.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The board's March 24 letter to the committee is in the Eastern Navy Board Letterbook, NN.

[2] The navy board's plan to attack the posts of the Hudson's Bay Company was not carried out by the United States; a French naval force commanded by Jean François de Galaup, comte de Lapérouse, destroyed the company's posts at Hudson Bay in 1782. Washington, *Writings* (Fitzpatrick), 25:441, 445.

[3] Enclosure not found.

William Whipple to John Langdon

Dear Sir, Philadelphia 19th April 1779

Having nothing new to tell you and being too much engaged to attend to speculative matters, the design of this is only to acknowledge the receipt of your favor of the 25th of March and beg your care of the enclosed to Mrs W.[1]

It gives me pleasure that delegates are appointed[2]—I hope one of them will come on as Soon as possible, as I am now alone, my colleague Frost having left me the 16th inst.[3] I should be glad to be relieved immediately, but my great desire to have the Navy put on a more respectable footing inclines me to tarry till that is done, unless my constituents determine otherwise.

I am respectfully yours, Wm Whipple.

[*P.S.*] The Deane is arrived in the river from Martinico—has taken nothing on her passage.

Tr (DLC: Peter Force Collection).

[1] Whipple's enclosed letter to his wife has not been found.

[2] In his March 25 letter to Whipple, Langdon had probably reported the election of Nathaniel Folsom and Nathaniel Peabody on March 24 and 25 as delegates to Congress. Subsequently on April 3, Woodbury Langdon, John's brother, was elected to replace Fol-

som, who had apparently declined the appointment. The commission of Langdon and Peabody ignored the intervening elections and declinations and simply noted that the two men were replacing Josiah Bartlett and John Wentworth, who had served on the 1778 delegation to Congress. See *N.H. State Papers*, 8:824-26; and *JCC*, 14:755.

[3] See Whipple to Josiah Bartlett, April 6, 1779, notes.

John Fell's Diary

Tuesday April 20th 1779

Coml. Committee. Congress. Letter from Govr Clinton, that the State of New York would Raise 1000 Men by Drafts from the Militia. Order of the Day on foreign Affairs, Very warm, loud and long debate, relating to the Commissioners.[1] Lasted till 5 o Clock. (Dr. Wetherspoon gone home). PM Marine Committee.

MS (DLC).

[1] Although there is ample evidence in the journals—nine printed pages—that this day's debate relating to the commissioners was "Very warm, loud and long," two cryptic notes written by Henry Laurens at about this time throw a ray of additional light on the day's proceedings. The first reads: "If I cant succeed in this House I will publish it to the World. M[eriwether] S[mith] 20th Ap. Question to strike out, which may be." The second: "Mr Paca's definition of Rascal, R[alph] I[zard] he said had called J[ohn] A[dams] Rascal, a dishonest Wicked Man." Laurens wrote these notes on the verso of a copy of the committee for foreign affairs report concerning the commissioners that was read in Congress on March 24 and debated this day. This copy is in the hand of Moses Young and is located in the Laurens Papers, no. 30, ScHi. See *JCC*, 13:363-64, 479-87.

John Henry to Thomas Johnson

Dear Sir, Philadela. Apl. 20th. 1779.

If I am not mistaken the Delegates informed you some Time ago, that they had advanced to three of the Maryd. officers out of the Money in the Hands of the continental Treasurer belonging to the State one hundred and fifty pounds each, a Sum equal to that granted by the Assembly, which they have since repaid in the Emissions of May and Apl.[1] The Money is now in my Hands and must be disposed of in some way. By the advice of the Delegates I shall send it down by the first opportunity if agreeable to you.

The Dispatches brought up by Capt. Campbell are duplicates of an old Date, and contain nothing of importance.

We have had several Meetings of the incorporated Company and have done some Business.[2] It is not improbable to me, but these purchases will become objects of great Moment to the parties concerned. What we have done I shall take another opportunity to inform you.

Mr. Morris desires me to inform you, least his Letter should miscarry,[3] that the committee have ordered the continental purchasers in the State of

Maryland to stop their purchase of flour &c, as the committee are of opinion the state will do it better.

I am Sir with the highest respect and Esteem your obt Servt.

J. Henry

RC (MdAA: Red Books).

[1] See Henry to Johnson, January 30, 1779.

[2] For Henry's interest in the activities of the Illinois and Wabash land companies, see ibid., note 1.

[3] See Committee of Congress to Thomas Johnson, April 21, 1779.

John Jay to George Washington

Sir, Philadelphia 20th April 1779.

I have the Honor of transmitting to Your Excellency, herewith enclosed, Copies of two Acts of Congress of the 19th Inst.—One for accepting the Resignation of Major General Schuyler[1]—the other granting to a Colonel, when commanding a Brigade, Six extra Rations.[2]

I have the honor to be, with the greatest Respect & Esteem, Your Excellencys Most Obedt. Servant. John Jay, Presidt

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RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 13:473; Jay to Philip Schuyler, January 15, note 1; and James Duane to Schuyler, May 1, 1779. Jay also transmitted this resolve under cover of the following brief note to Schuyler this date: "The enclosed is a copy of an act of Congress of the 19th Inst. complying with your Request for leave to resign." PCC, item 14, fol. 93.

[2] *JCC*, 13:473.

Rhode Island Delegates to William Greene

Sir, Philadelphia Apl. 20th 1779

After having made the necessary preparations we moved Congress, agreeably to your direction, on Saturday last.[1] Our motion met with great opposition, owing principally to the States offering an additional pay of six pounds per month. If this was allowed it was said that Congress would be obliged to advance the pay of the contl. battalions, which would occasion such a large sum of money to issue as would intirely overwhelm and destroy the sinking Credit of our Currency. We were obliged to submit to an amendment to this purpose, that the said brigade should be "intitled to contl. pay, cloathing, subsistance, and to a bounty not exceeding two hundred dollars." Congress adjourned before the Amendment passed. Yesterday we brought the matter on the carpet again,[2] when the bounty was objected to, it being the same as the bounty given to contl. Soldiers who should inlist during the War. After much debate it was reduced to

150 dolls., which is the bounty offered by the State. The reason why two hundred dollars bounty was proposed was because that was the bounty which was allowed to the troops to be raised in N. Carolina & Virginia. We imagined that we had got through all our difficulties; but now it was contended that the resolution did not restrain the State from giving the additional pay, and that it ought to be restrained, and therefore an Amendment was proposed, that after approving the raising a brigade, to be cloathed, paid, subsisted and to be allowed a bounty not exceeding One hundred and fifty dollars, words like these should be added, "upon these Conditions that the State should not give any additional pay to the contl. pay.["] Here a debate arose which was contd. until the time arrived for an adjournment. How this matter will be decided or when I cannot tell. We are determined to attempt bringing it on this day again. While I was writing the last Sentence an Opportunity offerd. We embraced it; But it was obliged to give way to the order of the day. We will continue to urge this matter to a conclusion, until it be finished.

Since this motion hath been on the carpet, We have received a letter from the Lieut Govr., in which he desires that Congress might determine which they would chuse, that the continental battals. should be filled or the proposed brigade. We have not proposed that Question because it would in our opinion intirely defeat the design of the Assembly expressed fully in your excellency's letter, and we were uncertain whether his Honor's letter was private or official. Mr. Ellery hath written fully to the Lieut Governor on this Subject and begs your Excellency to be referred, for want of time and on account of the situation he writes in, to that letter.[3]

We have laid the business of the Alteration of the Route of the Post through our State before the Post-office Committee, and the Committee have directed Mr Hazard to take measures immediately for the Posts proceding in his usual route.[4] I saw Mr. Hazard this morning and he assured me that he would immediately persue the orders of the Committee.

We have nothing new excepting what is in the inclosed Papers. It is said that a Vessel hath arrived at Chesapeak-Bay from France. Whether it be true or not we cannot tell, nor whether if it be true She hath brot any news. We are in daily expectation of intelligence from Europe, when any arrives we will communicate it. We have only to add now that we are with the highest Sentiments of respect,

Your Excellency's most obedient, humble Servants,

William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery, and signed by Ellery and Collin

[1] See *JCC*, 13:468-71; and Rhode Island Delegates to William Greene, April 13, 177 note 2.

[2] *JCC*, 13:476-78.

[3] Not found.

[4] For the proposed alteration to the post route, see Ebenezer Hazard to Greene, March 11, 1779, in William R. Staples, *Rhode Island in the Continental Congress, 1765–1790* (Providence: Providence Press Co., 1870), p. 214.

Committee of Congress to Thomas Johnson

Philaa. 21st April 1779.

Sir

I wrote to your Excellency some Time ago on the Subject of Flour which I requested might be forwarded to this City.[1] Since that Period reflecting deeply on it and having received Intelligence relating to it I am to intreat that 10,000 Barrils be procured with all possible Dispatch but so as not to raise (if it can be prevented) the present exhorbitant Price. I could wish that it were lodged in Stores under the Inspection of proper Officers appointed by your State and Returns made to your Excellency. That it should be at the Order of the Chairman of the Committee of Congress on the Commys. and Qu: Master's Departments. That it should be on the Waters of the Chesapeak Bay so as to be within the Effects of an open Navigation at a Moment's Warning. What is of most Importance that the greater Part or indeed the whole should be collected in the several Stores so as that I may have Returns of it by the 1st Day of June next at the farthest. Whatever may be got more that the above Quantity by that Time should also be stored in like Manner. The sooner the Returns are made the better.[2] Having given Orders to prevent the Commissaries in your State from purchasing I hope that any Commissary who may continue to purchase will be punished.

I am respectfully your Excelly's. most obedt. & humble Servt.

Gouvr Morris

RC (MdAA: Red Books). Written and signed by Gouverneur Morris. Endorsed: "received the 30th Apl."

[1] See Committee of Congress to Johnson, April 2; and John Henry to Johnson, April 20, 1779.

[2] For the April 30 response of the Maryland Council explaining the orders they had issued to comply with Morris' requests, see *Md. Archives*, 21:374.

Committee of Congress to Caesar Rodney

Phila. 21st April 1779.

Sir,

Having given Orders that the Commissaries of your State desist from farther Purchases of Flour permit me to intreat that your Excellencies known Attachment to the Interests of America will urge the rigid Obedience of this Order. If at the same Time Flour can be had at £15 per Ct. I am content that it be taken by such Person as you shall appoint for that Purpose notifying me as soon as possible of the Quantity purchased and the Place where it shall be lodged. It should be put in Store and kept at my Order (ie) the Store Keeper should deliver it as I may direct. Every Measure becomes necessary to prevent that Ruin which menaces us from Commissaries and QuarterMasters. I am with great Respect, your Excellency's, most obedt. & humble Servant, Gouv Morris

RC (PHi: Gratz Collection). Written and signed by Gouverneur Morris. Endorsed: "received the 30th of April 1779."

John Fell's Diary

Wednesday 21st April [1779]

Commercial Committee. Congress. Motion made Per R H Lee[1] & Seconded Per Mr Carmichal, the doors of Congress should be open. Some very severe remarks on the impropriety of the motion, agreed to Committ it to 5 vizt Mr Lee, Mr Adams, Mr Lovell, Mr Laurens & Mr Ellery.

Letter from T. Payne. (lay on the Table). Order of the Day for foreign Affairs, Report of the Committee that all the Commissioners be Recall'd amended Per seperating the names, and that the Name of Dr B. Franklin Minister Plenopitentary be first put, long debate about his Carracter, till 4 oC and then adjournd.

MS (DLC).

[1] Before Lee offered this motion, the delegates had actually disposed of a number of other matters this day, one of which is both puzzling and ambiguous as it stands upon the journals of Congress. The mystery pertains to the decision of Elbridge Gerry to respond at this time to the March 17 attempt made by Henry Laurens and Samuel Adams to replace him on the foreign affairs inquiry committee, for which see Fell's Diary, March 17, 1779, note. Why Gerry, who had been attending Congress regularly the entire period, waited so long to react to this maneuver will doubtless never be known. And the journal entry for this day is so muddled—in both Thomson's manuscript copy and the published journal edited by Worthington C. Ford—it is uncertain just how Thomson should have recorded the information pertaining to the incident.

In Thomson's manuscript, the three-paragraph entry concerning Gerry's query opens with a motion by James Duane introducing a resolution explaining what had transpired on March 17, but since this passage introduces a resolve found in the third paragraph of the entry and was obviously interlined sometime after the second paragraph was penned, it is not improbable that the secretary misplaced the passage, which may have been intended to precede the third rather than the second paragraph. The confusion is somewhat compounded in the printed journal by the fact that Ford injected yet a fourth paragraph, which consists of an alternate resolve attached to Duane's motion drawn from the PCC. See *JCC*, 14:488; and PCC, item 1, 21:245–46; item 36, 1:19–20.

Samuel Holten's Diary

[April 21–22, 1779]

21. Wednesday. Congress sit till 4 o'Clock considering the state of our foreign affaires.

22. Thursday. I dined with the chief Justice of the State of Pennsya.[1] Congress sit late.

MS (MDaAr).

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[1] That is, Thomas McKean, whose attendance this day was the subject of considerable controversy. See John Fell's Diary, April 22, 1779.

John Jay to George Washington

Dear Sir Philadelphia 21 April 1779

Accept my Thanks for the long & friendly Letter of the 14 Inst. which I have had the Pleasure of recieving from you.[1] It was for many Reasons grateful to me. I value the Esteem of the wise and virtuous, and had wished to know the particulars of Transactions, respecting which only vague and unsatisfactory Reports, had come to my Knowledge. Delicacy forbid my breaking the Subject to you when here. I was sure of your Politeness, but not certain of a more than usual Degree of Confidence. The latter is now become manifest, and permit me to assure you it shall be mutual.

The Impression attempted to be made, has not taken. It passed without a single Remark. Your Friends thought it merited nothing but Silence and Neglect. The same Reason enduced me to take no Notice of it in my Answer.

I have perused the several Papers with which you favored me. The Delicacy, Candor & Temper diffused thro' your Letters, form a strong Contrast to the Evasions & Design observable in some others. Gratitude ought to have attached a certain Gentleman to the Friend who raised him. A spurious Ambition however, has it seems made him your Enemy. This is not uncommon. To the Dishonor of human nature, the History of Mankind has many Pages filled with similar Instances; and we have little Reason to expect that the Annals of the present, or future Times, will present us with fewer Characters of this Class. On the contrary, there is Reason to expect they will multiply in the Course of this Revolution. Seasons of general Heat, Tumult and Fermentation favor the Production & Growth of some great Virtues, and of many great and little Vices. Which will predominate, is a Question which Events not yet produced, nor now to be discerned, can alone determine. What Parties and Factions will arise, to what Objects be directed, what Sacrifices they will require, and who will be the Victims, are matters beyond the Sphere of human Prevision. New Modes of Government not generally understood, nor in certain Instances approved—Want of Moderation and Information in the People—want of Abilities & Rectitude in some of their Rulers—a wide Field open for the Operations of Ambition—Men raised from low Degrees to high Stations, and rendered giddy by Elevation, and the Extent of their Views—Laws dictated by the Spirit of the Times, not the Spirit of Justice

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and liberal Policy—Latitude in Principles as well as Commerce—Fluctuation in Manners, and public Counsels—Suspension of Education—Indifference to Religion, and moral Obligations &c &c. are Circumstances that portend Evils which much Prudence, vigor and Circumspection are necessary to prevent or controul. To me there appears Reason to expect a long Storm, and difficult Navigation. Calm Repose and the Sweets of undisturbed Retirement, appear more distant than a Peace with Britain. It gives me Pleasure however to reflect, that the Period is approaching when we shall become Citizens of a better ordered State; and the spending a few troublesome Years of our Eternity in doing good to this and future Generations is not to be avoided or regretted. Things will come Right, and these States will be great and flourishing. The Dissolution of our Governments threw us into a political Chaos. Time, wisdom and Perseverance will reduce it into Form, and give it Strength, Order and Harmony. In this Work you are (in the Stile of one of your Professions) a *master builder*, and God grant that you may long continue a *free* and *accepted* one.

Thus my dear Sir! I have indulged myself in thinking loud in your Hearing—it would be an Hybernicism to say in your *Sight* tho in one Sense more true. It is more than probable that I shall frequently do the like. Your Letter shall be my Apology—and the Pleasure resulting from Converse with those we esteem, my motive.

I am Dear Sir with perfect Esteem & Regard, Your most obedt. Servt.

John Jay.

RC (DLC: Washington Papers).

[1] The draft of this "Private," April 14 letter to Jay is in the Washington Papers, DLC, and Washington, *Writings* (Fitzpatrick), 14:378–88. For a discussion of the circumstances that led Washington to write this long, impassioned letter, and Jay's involvement in the events preceding it, see Jay to Horatio Gates, April 4, 1779, note 1.

Henry Laurens' Notes Respecting Gérard's Views on Arthur Lee

[April 21? 1779][1]

The subscriber Certifies, that in a conversation which he had the honor of holding sometime after his arrival at Philadelphia with Messrs. Colonel Lee & Samuel Adams, the latter spoke to him of reports which circulated that Mr. Arthur Lee was anti-gallican & averse from the Alliance of France with the United States, that the answer of the subscriber was, that in fact a great number of persons among whom were some of distinguished rank, were persuaded of it & had strove to inspire the King's Ministers with the same sentiments, that the subscriber recounted to Messrs Lee & Adams the principal facts upon which that opinion was founded but that the Ministers of His Majesty had not adopted that mode of thinking in regard to the attachment of Mr. Arthur Lee for the cause of America & for the Alliance.

It is proper to add that there was no mention in that conversation of the confidence or of the full confidence of the french Ministry in Mr. Arthur Lee.

Mr. Samuel Adams may at his will make such use of the present Certificate as he shall judge proper. At Philadelphia the 21st of April 1779.
Seal. signed Gerard[2]

I the subscriber do Certify, that in a conversation which the Honorable Mr. Gerard honoured me with, at my own House, & which he introduced on Sunday the December 1778, He informed me that Mr. Arthur Lee had given much dissatisfaction to the Ministers at the Court of France by his manner of enquiring into & interfering in transactions at that Court relative to America, that he had at different times discovered such jealousies & suspicions as had obliged the King's Ministers or Mr. Gerard himself to signify to Mr. Lee that his conduct was disagreeable, but in other respects Mr. Lee stood fair—that there had been reports circulated of Mr. Lee's too strong attachment to the English & an equal dislike to the french Nation & that such reports had made an impression upon the minds of several persons of Rank about Court & had even reached the King & his Ministers & caused some uneasiness—that the King or His Ministers had thereupon caused the fullest enquiry to be made (had taken the proper means for enquiring) the result of which was, the Court were perfectly satisfied the Reports were groundless—*this was repeated*, as I understood it, to impress my mind.

On ⟨*Monday 19th*⟩ Friday 16th April 1779.

I received in Congress a Note from Mr. Gerard intimating that he had just called at my House & requesting I would give him an opportunity of speaking one word to me. I immediately waited on Mr. Gerard, who told me he had been informed Mr. Samuel Adams had said in Congress, "he had the highest authority for beleiving that Mr. Arthur Lee was in the full confidence of the Court of France"—that he should be sorry to meddle in that matter, but if he was called upon, if he was forced, he would speak out—that he wished to have nothing to do with it, but if he was forced he should declare very plainly what he knew, the same terms were often repeated by Mr. Gerard, in a manner which discovered that he was more than a little affected.

I reminded Mr. Gerard of what he had done me the honor of communicating to me in December, as above recited—Mr. Gerard replied, "you are very right, it was precisely so".

If I understand you rightly Sir, said I, Your representations concerning Mr. Lee amount to this—"Here is a Gentleman in my House whose manners do not please the family, therefore it is necessary he should withdraw from it, but if I am asked the cause of the seperation, I will not say he is a Rogue, I will say his dispositions were not pleasing to me, I found it therefore necessary we should live under different Roofs, but I beleive him nevertheless to be an honest Man.[")]

Mr. Gerard said, "you understand me perfectly & have explained the case according to my meaning." When I was taking leave Mr. Gerard repeated that he should be sorry Mr. Saml. Adams should force him to speak, he wished to have nothing to do in the matter. 16th April 1779.

Henry Laurens

Remarks.

It is easy to account for the Reports of Mr. A. Lee's anti-gallicanism. Mr. Deane was in Paris.

Mr. Lee had, as much as in him lay, been a Check upon Mr. Deane's schemes of private Trade & of too freely fingering public Money.

Mr. Beaumarchais, who was in all appearances a Partner of Mr. Deane's, was also in Paris, Mr. Lee had also been a check upon him & he could with equal facility & Success, help Mr. Deane to circulate Reports.

Reports were accordingly circulated & had made impressions so deeply as to reach the King.

Mr. Lee to whose prejudice the whispers had gone round, was put into the Court Alembick, what came forth? a Jealous troublesome, but, Honest Man.

Dare Mr. Deane stand such a trial, I should say, such an ex-parte Inquisition? No, he has told you he would not answer questions which might tend to criminate himself.

But why was Mr. Lee troublesome? Because he checked the unfaithful acts & attempts of Mr. Deane & his Partners & because he was faithful to the United States of America & insisted upon making a better Treaty with the Court of France than Mr. Deane had submitted to. Mr. Deane was therefore a favorite, a despisable one indeed! even in the Eyes of those who Palmed him. Mr. Lee was comparatively, a troublesome Man to the french Court; but the French Court do him the justice & the honor of saying, he was faithful to his constituents & that they had found him to be so upon the fullest investigation.

Query. Who informed Mr. Gerard that Mr. S. Adams had in Congress said, so & so? Mr. Adams had not quoted *Mr Gerard*, as his authority. Unless therefore some Member of Congress had asserted or insinuated a falsehood, or, if you please, a Lie, to Mr. Gerard, he could not have made the applications or drawn the inferences he did in his conversation with me.

MS (ScHi: Laurens Papers, no. 32). In the hand of the Henry Laurens and endorsed by him: "Mr. Gerards conversation with Mr. Samuel Adams." The document consists of four distinct sections, which Laurens put together in their present form sometime after April 21, the date of Gérard's "Certificate" for Samuel Adams, which constitutes the first section. The second section pertains to an incident involving Laurens and Gérard in December 1778; the third to Laurens' meeting with Gérard on April 16, 1779; and the document concludes with a number of Laurens' summary "Remarks" concerning various aspects of the long-simmering Deane-Lee controversy.

[1] Congressional attention was refocused on the issue of the French government's confidence in Arthur Lee on April 15 when Samuel Adams asserted—during a foreign affairs

debate concerning "the conduct of the late and present commissioners of these states"—that he understood, "from the highest authority in America" [i.e., Gérard], that Lee was "possessed of the confidence of the Court of Versailles." For the primary evidence relating to the efforts of Lee's friends and detractors to determine the accuracy of Adams' assertion, see Thomas Burke's Statement respecting Gérard's Views, April 16?; Henry Laurens' Notes of Debates, April 26 and 30; and William Henry Drayton and William Paca to Congress, April 30, 1779.

[2] There is a copy of this "Certificate," in the hand of James Lovell, in the Samuel Adams Papers, NN. Since Lovell was fluent in French, it seems reasonable to conjecture that the original had been given to him to translate. That the original "Certificate" was in French seems clear from the copy of it, which is in the hand of Richard Henry Lee, that is in the Lee Papers, ViU. At the bottom of the Lee copy, which differs only slightly from Laurens' transcript, appear the following notations:

"True Copy, R. H. Lee.

"Mais que le Ministere de sa Majesté n'a pas adopté cette facon de penser sur l'attachement de Monr. Arthur Lee pour la cause Americaine et pour l'alliance.

"Directed A Monsieur

"Monsieur Samuel Adams Delegué au Congres de la part de l'etat de Massachusets Bay."

Marine Committee to Henry Fisher

Sir April 21st. 1779

We expect one of the Continental frigates will shortly appear at the Capes of Delaware bound into the Bay and in that case she will want a Pilot. She will shew a Signal by hoisting a Pennant at her foretopmast head and a jack at her main top mast head by which you will know her and we request that you will send her off a Pilot.

Should the Captain[1] of this Frigate send you on Shore any despatches for this Committee we request you will immediately forward the same to this place by an express and we shall pay any expences that may arise. Your well known zeal for the Public cause induces us to apply to you on this occasion. We are sir, Your Hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Capt. Seth Harding, commander of the frigate *Confederacy*, had been directed by the committee on April 17 to contact Major Fisher when his ship reached Lewes, Del. See Marine Committee to Harding, April 17, 1779.

William Henry Drayton to Timothy Matlack

Sir, Eleven, A. M. April 22nd, 1779.

In obedience to the order of Council this day published,[1] I do without delay return into your hands the first & second Vols of "State Tracts" which I had removed from the State Library, where I had not time to use them to my lodgings where, after Congress hours, I had time to turn them over with attention.

These are the only books which I ever removed from the Library. If I could have thought that such an use of the Books would have given offence, I should not have taken such a liberty. However, I shall not repeat a conduct which I find is disagreeable.[2]

I am, Sir, Your most obedt. Servt, Wm Hy Drayton.

MS not found; reprinted from *Pa. Archives*, 1st ser. 7:328–29.

[1] Reflecting its pique over recent confrontations with members of Congress, the Pennsylvania Council had resolved the previous day to recall state library books lent to members of Congress. *Pa. Council Minutes*, 11:755. The episode suggests that the breach between Pennsylvania and Congress that had opened as a result of the state's efforts to punish Benedict Arnold had not been closed, despite recent efforts to do so. See Henry Laurens' Notes of Debates, March 26, note 1; and John Jay to Joseph Reed, April 13, 1779.

[2] The council minutes indicate that "Mr. Drayton returned 2 Vols. of State Tracts belonging to the State Library" this day. In an immediate reply to Drayton's letter, Secretary Matlack stated that "It was not the intention of Council to prevent the delegates of Congress from the use of the State Library, but so great a number of books being abroad, without any account of them, it became absolutely necessary to publish them, in order to call them in. I shall, without hesitation, at any time, send you any books you shall have reason of." See *Pa. Council Minutes*, 11:755; and *Pa. Archives*, 1st ser. 7:335.

John Fell's Diary

Thursday 22d Apl. [1779]

Commercial Comm. Congress. Letter from Genl Mullenburgh about Rank.

Do from Colonels Van Courtland & Gansevoort abt Do.

Referrd to the Board of Warr.

Letter from Genl Washington.

Do from Genl Green in Town; Referrd to Whipple, Morris & Armstrong. Judge McKean.[1]

Order of the Day on foreign affairs, after long debate till Past 4 the Question was put whether Dr Franklin should be Recall'd, Yas & Nas, Car[rie]d in the Negative. PM Marine Committee.

MS (DLC).

[1] This entry simply indicates that Thomas McKean took his seat in Congress in the midst of this day's proceedings. Delaware was not represented when the first roll call vote of this day was taken, but McKean later cast the state's vote against the recall of Franklin when two votes on the issue were taken subsequently.

Although this much is clear, the delegates' excited reaction to McKean's appearance this day is puzzling. Objection was made to having his attendance recorded in the journals—his only appearance between February 24 and June 11—although how the matter arose and why the objection was voiced is not clear. Secretary Thomson made the following entry in his journals for April 22 but, as the words are crowded in the margin and between the lines, he obviously penned them as an afterthought: "Mr. McKean a delegate for Delaware attended & took his seat." That they were subsequently lined out merely adds to the confusion; and according to Fell's diary the following day: "Mr. S. Adams moved that Mr. McKean being Enterd on the Journals as attending, might be cancelld and a Debate insued agreed to stand." If Fell is right on this latter point, the entry should not have been lined out at all. Amid so much conflicting evidence, any interpretation must remain largely conjectural. See *JCC*, 13:491, 498–500; PCC, item 1, 21:250; and Fell's Diary, April 23, 1779.

That the congressional debate on the recall of the American commissioners in France sparked controversy is beyond doubt, and McKean himself later recurred to this subject in the following March 25, 1780, letter to Richard Henry Lee, claiming in the process an inflated role for himself in opposing the recall movement.

"In the Winter & Spring of 1779 there was a cabal, whose views I could not fathom; there were some possessed of restless spirits, and who endeavored to set member against member, and the Congress against the States, particularly Pennsylvania and those of New-England, and the States agt. Congress. Every artifice was used to instill prejudices against all our foreign Ministers and Commissioners, particularly your *brothers*; and I really believe, if I had not in April last gone off the Bench into Congress, in the face of a vote of the Assembly of Pennsylvania, that they would have been recalled without exception. My fears were, that at that critical period, when it had been propagated in Europe; and some uneasiness discovered on that score by the court of France; that we were listening to overtures from Great Britain, a change of men might have implied a change of measures, and given some countenance to the reports; and for this reason I thought it wrong to recal any Gentleman in such a conjuncture. The vote was taken with respect to Doctor Franklin, and being determined in the negative, it was postponed as to the rest until I was absent on the circuit. Places were sought after by some, and vacancies were necessary for the purpose of obtaining them, but I could not think this was the only thing in contemplation; tho' I may have been mistaken, as harmony seemed to be restored in some measure upon the appointments of Messrs. Jay and Carmichael. The death of Mr. Drayton, and the considerable change about that time of the members, several of them not having been re-elected, left us pretty quiet ever since, tho' prejudices still too much prevail." Lee Papers, PPAmP.

Francis Lightfoot Lee to Arthur Lee

My dear Brother, Annapolis Apl. 22d. 1779

I am thus far on my way home from Congress, & finding a Vessel about to depart from hence tomorrow morning for France; I embrace the opportunity of letting you know that all your friends are well.

There is as yet no determination on Deane's affairs, but probably soon will be, & I fear, much to your prejudice, shou'd it be otherways now, I am satisfied you will in the end be sacrificed, & therefore it may not be amiss to think in time, of some establishment in which your honor & fortune will be less dependant on the villainy & folly of Mankind. For my own part I am determined to retire being fully convinced, that at present, the post of honor, is a private station. Tell our bror. W.[1] to look to himself, I shall write fully to him about his affairs, by the first opportunity after my arrival in Virginia. You was not mistaken in your opinion as to the support D——[2] brot with him; the open and indecent countenance which has been given to those who were never friends to independance, nor of course to the Alliance, will I fear injure greatly the common cause, if England is wise enough to make use of the advantage. The world will expect from you a clear refutation of all the infamous slanders, which a most abandoned junto have thrown on you; with a full exposure of their wicked plots against the public. Therefore no pains shou'd be spared in collecting materials. The want of a cypher & the uncertainty of this conveyance prevents my being more full, but I expect R.H.L.[3] who is still at

Congress, will give you a compleat Idea of our present system of Politicks. Remember me to Mr. Adams & Mr. Lloyd. Love to W.L.'s family.

Yours ever, Loudoun [Francis Lightfoot Lee][4]

[P.S.] Mrs. Lloyd & Mrs. Lee command me to give their Love to you. This moment I have recd. advice from Virga. of the death of our friend Col. Tayloe.

RC (MH-H: bMS Am 811.5).

[1] That is, William Lee.

[2] Silas Deane.

[3] Richard Henry Lee.

[4] Lee's departure from Congress on April 16 brought to an end a distinguished career that began with the autumn session of the Second Continental Congress in September 1775. Although he is last mentioned in the journals on April 14, his accounts give his final period of attendance as "from the 7th Novr. 1778 to the 16 Apl. 1779 inclusive being 161 Days at 15 Dollars a day £724.10." Emmet Collection, NN; and *JCC*, 13:452.

Another manuscript in Lee's hand pertaining to his congressional career consists of some "queries" and foreign "Intelligence," apparently drafted for publication. As it is accompanied by two draft letters in the hand of Richard Henry Lee addressed to "Mr. Dunlap," all were doubtless intended for submission to the *Pennsylvania Packet*, but no evidence that they were published has been found. They demonstrate the Lee brothers' continuing effort to protect the positions of Arthur and William Lee abroad. The documents' contents seem to indicate that the queries were written shortly after the foreign affairs inquiry committee reported to Congress on March 24, for which see *JCC*, 13:363–68. The covering letters were written thereafter, but apparently a few days apart. The rough state of the documents and their location in the Samuel Adams Papers suggests that they were sent to Adams for review. The fact that the queries were never published in the *Packet* may be attributed to Francis Lightfoot's departure for Virginia, the momentum that the "recall debate" quickly assumed, and Richard Henry's decision to resign his seat in Congress. For information on the recall debate in Congress, see John Fell's Diary, April 6, 1779, note 2. For Lee's resignation, see Richard Henry Lee to the Virginia House of Delegates, May 4, 1779. See also Francis Lightfoot to Richard Henry Lee, January 5, 1779, note 3.

The cover letters drafted by Richard Henry, which bear the heading "Publication respecting Mr. Silas Deane," read as follows:

"Mr. Dunlap. As Mr. Silas Dean has thought proper to produce before the public a suggestion of much suffering and great merit on his part, which he insinuates on the part of others much demerit, and having given reason to expect that his insinuations should be realized by a communication of facts which it was of importance should be known, Which communication having been long promised but not complied with—As a free and virtuous Citizen of America I have taken pains to get the best possible information about the causes and probable consequences of Mr. Deanes unusual Address of the 5th of December last, and could wish to be aided in my enquiries by having plain answers given to the following plain quiries.

"Mr Dunlap. I chanced the other evening to fall in company with a person whom I found after conversing upon the subject which has lately engaged the public attention to be a Supporter of Mr. Silas Deane, after some general and evasive justification of Mr. Deans conduct he proceeded to shew the necessity of recalling the other Commissioner[s] by the following reasons—Because said he they have quarr[el]ed, and there have been such dispu[ta]tions and disagreements as tend to the injury of the public affairs—That the M[ess]rs. Lee wanted obilites [abilities?] and that their Manners were ungracious, their tempers suspicious, quarelsome, and jealous; and these opinions of those gentlemen I found were to be supported by the evidence of Mr. Deane, and two or three others whom he has combined with him &c by a similarity of manners, and of interested views. This conversation suggested to me the following quiries which an honest enquirer would be thankful for a plain answer to."

Francis Lightfoot's draft "queries" continue:

"A Person in public employ, informs of misconduct in another, & furnishes documents on which he founds his opinion, are his proceedings to be invalidated, by the accusation of the Accused Person upon his bare assertion, unsupported by any evidence or ought he to be in the least affected, by such accusation?

"Is the former to be deemed & punished as quarrelsome because the latter, will fasten a quarrel upon him, for endeavoring to prevent the waste of public money; & informing those of his grounds of suspicion, who alone have the power of remedying the Evil? Has there been any quarrelling with A.L. since S.D. left France? Was there any quarrels between A.L. & Doctor F—— when they served Massachusets together in London? Has not S.D. transfer'd the quarrels from France to America? If S.D. has been successfull in infusing Jealousies into the minds of some of the French Ministers of A. Lee (which is denied from the best Authority) what has that to do with the Court of Spain, to which he belongs? & with whom he has had considerable success, in procuring supplies?

"Deane's insinuations have gone forth to the world as charges against A.L. & W.L., a recal fixes those charges as truths & persons will be sacrificed, who have given up their greatest prospects to serve the Public, & have entrusted their honor & everything dear to them to the Justice of their Country, & why? Because persons, whom they have endeavoured to prevent from injuring the public, abuse them for doing their duty. What man hereafter will endeavor to bring defaulters to justice, who will certainly be offended & quarrel if in consequence of the defaulter's quarrelling with him, he must necessarily be disgraced & ruined? Is it not the most proper way to punish the Offender & enlarge Your confidence in the Man who has contributed to bring him to Justice. The Cause being removed, the effect will cease. What Minister can be confident in his exertions for the public good, when he knows, that if any designing persons, disappointed in their views, shall fasten a quarrel upon him, he must for that reason alone be inevitably ruined? In the present case it is necessary to examine well into D's Conduct, to see if there were not good grounds for A Lee's interfering with his proceedings if there was, was it not his duty to do it? If in consequence of his doing [his] duty, D. wou'd quarrel with him is it his fault? Is there any [. . .] reason to suppose A.L. will have any quarrel in Spain, unless from the same cause, which Congress may prevent, by instructing A L not to notice any misconduct in persons employed by the public in his District.

"May it not be the design of some to obtain the benefit of such an instruction by futile appointments as an assortment of Characters may present such Incapacity & littleness discovers as it may greatly import the public to be made acquainted with.

"W L & A L went to London [in] 1768 quite strangers, it is notorious, the rank they held there at the commencemt of this war. They had the honor of an acquaintance & even intimacy with Lds. Chatham, Temple, & Shelburne, Sergeant Glyn, Mr. Dunning & many other eminent characters in that Country, for all this they coud not be indebted to their connections or parliamentary interests, they had none, nor to their wealth; for tho born in a Wealthy family, they were the youngest of many children. The persons above named were certainly acquainted with mankind, & it cannot be supposed that they wou'd have honored with their regards, Persons who were unfit for any public character & of disgracefull manners, who were circumstanced as the Messrs. Lees were at that time. This discovery is reserved for Deane & a few others who have seen more of the world, kept better company, & of finer parts & understanding than those Noblemen & Gentlemen. Is it possible for human credulity to be stretched so far, as to pay any regard to them?

"Intelligence recd. from the American Commissioners

"It had been debated in the british Cabinet, whether Independance shou'd be acknowledged. That there was no prospect of our Enemies getting any reinforcements except what might be raised in their own dominions. The sailing of the Cork fleats. The situation of the whale fishery, the vessels employed in it, easy to be destroyed.

"The friendly sentiments of Holland, & of their having actually agreed upon a Treaty, to take place at a proper time.

"The friendly disposition of the King of the two Sicilies, & of his having opened his ports to American Vessels, with a desire of being informed how to distinquish them.

"Their application to france for protection against the Barbary Corsairs, with the proceedings thereon—the two Articles of the Treaty expunged, agreable to the request of Congress. The Ministers Answer respecting Beaumarchais. Their prospects of getting money & supplies for the Army.

"That Russia wou'd not assist G.B. with forces against America.

"What wou'd be expected by Spain, in case of a treaty with America, & what she wou'd give in return. That while acting the part of Mediator, affected reserve & secrecy. Supplies sent & sending, upon the funds granted by that Court.

"The Courts of Berlin & Austria, cou'd not receive our Commissioner or signify their intentions respecting America, in the present situation of their affairs. The events of the war between those powers.

"Situation of Affairs at the Court of the Grand Duke of Tuscany.

"General Accounts of the Affairs of Europe, with political reflections & inferences." Samuel Adams Papers, NN.

Gouverneur Morris to John Dunlap

Mr Dunlap, [April 22? 1779]

A SLOOP named the *Active*,[1] of which John Underwood was the Master, bound for New York, with a cargo of rum, &c. owned and laden in the island of Jamaica, was in the month of [2] last met, near the coast of New-Jersey, by Captain Houston, in the brigantine *Convention*, an armed vessel belonging to the state of Pennsylvania. Four of her mariners, natives and inhabitants of New-England, who had fallen into the enemy's power in the West Indies, were taken on board this vessel for the purpose of navigating her to New-York, had risen some time before on the Master, and shut him, his mate and passengers, fast in the cabbin, by heaping a cable and other incumbrances over the stairway between the deck and the cabbin. This produced a controversy truly hostile, the prisoners below, who possessed the stock of victuals, water and ammunition, firing pistols through such openings as they were able; and the insurgents upon deck, directing two three pound cannon, for which they had a few cartridges, towards the cabbin; but with little effect on either part. Mean while, Capt. Underwood, highly incensed at their attempt to take his vessel from him, entertained the desperate idea of blowing up the quarter-deck with gunpowder, from which, by the prudence and persuasions of his passengers, he was restrained, till a proposal of a less dangerous nature should be essayed. This was the wedging of the rudder. Under this embarrasment, the sloop was disabled, and could not be steered. Whereupon, a truce took place between the contending parties, and an agreement was made, that the rudder should be loosed, till the men upon deck, who dreaded further imprisonment in New-York, might conduct the vessel towards the land, and when near enough, go off in the boat, leaving the rest of the people on board in possession of her. This accommodation being accordingly adjusted, had been so far proceeded on, that the land being near, Captain Underwood was expecting his enemy on deck immediately to quit the vessel, when Captain Houston approached, and put an end to the war on board, by seizing the *Active* and sending her for Philadelphia.

A libel was soon after exhibited in the Court by Admiralty by Capt. Houston, praying that the sloop and cargo might be adjudged to him, his officers, seamen, and the state, as their lawful prize. Against this, Gideon Umpsted [Olmsted] and the three other insurgents, opposed their claim, suing for the prize, as having been subdued and overcome by them. To determine the controversy, a struck jury, on the motion of the claimants, was directed, and the facts tried in the fairest manner; the result of which was a verdict, by which three-quarters of the prize was given to the *Convention* and the *Gerard* privateer, her consort, and in sight at the time of the seizure, and one-quarter to the claimants; who, dissatisfied with the decree of the Judge, in concurrence with the verdict, appealed. The Committee of Congress, who sit upon these appeals, on considering the evidence and hearing the advocates of the parties, not only reversed the sentence of the Court below, but made a new adjudication, awarding the whole to Gideon Umpsted, &c. the claimants, and directed the Judge of Admiralty to order their decree to be executed. This he declined to do, alledging that the act of Assembly of this state, under which he proceeded, had forbid all reexamination or appeal from facts found by a jury, and the verdict, of course, standing in full force, he could not execute a judgment contradictory to it.

To understand this, it is proper to take notice, that on the 25th of November, 1775, Congress *recommended* to the several colonies in union, now states, to erect courts for determining concerning captures at sea; and for this purpose "to provide that all trial in such cases be had by a jury." Accordingly the Legislature of Pennsylvania adopted the mode of proceeding thus sketched out, so that the facts, as at common law, should be heard and established by a jury, but allowed of an appeal on matter of law; in perfect coincidence with the nature of a jury trial, and strictly agreeing with the resolve of Congress of November, 1775, the only one, upon the subject, made by Congress. Now, if any legal controversy was ever suitable for the discussion of twelve men, surely it was this of the sloop Active; a mere question of fact; and the verdict is accordingly confined to fact strictly. If Judge Blackstone's opinion is looked for, he, upon trial by jury, says, "that there is no method of reversing an error in the determination of facts, but by an attaint; or a new trial, to correct the mistakes of a former verdict." 3d Vol. 406.[3] Yet, because the Court of Appeals, inattentive to our act of Assembly, the sole ground of their jurisdiction, have exceeded their proper limits, and judged in a matter which lay not before them, Pennsylvania is urged as a transgressor, to open a way to the operation of this unauthorized decree, and at the same time satisfy the lawful demands of the libellants. But the state, being not in fault, can not, consistently with justice to herself, submit to this unfounded demand. Especially, whilst the states of Massachusetts and New Hampshire, have laws for judging of maritime captures in full force, which permit no appeal to

Congress, except for prizes taken by the ships belonging to the United States. These states have, in this instance, considered the resolve of Congress in its true light, as advisory, and done as they saw best.

But we are told, that it is proper that Congress should have an appeal on those matters both in law and fact. Perhaps it may be so. It is likely the civilized world would be better satisfied with such a course of proceeding; but then the trial of the original capture should be by witnesses and not by jury, which admits of the full appeal desired. The claims of our own people, however, for shares or distribution, concern not foreigners, and may continue as heretofore; and such is the case of the sloop *Active*. However, if any new regulations are needed, before the consideration shall be enforced by the accession of the state of Maryland, the only hesitating state in union, let them be devised and recommended to the several communities. These cannot, in the nature of things, look backward, or take in cases, for which the laws in being have provided.

Again, it is alledged for this jurisdiction in Congress, that persons from different states may have controversies upon these points, and that an impartial body, like Congress, will be necessary to decide between them. But this would equally prove the necessity of a Court of Appeals in debt, real actions, and all other civil suits; nay, in criminal too, to secure justice to the people of one state, who may have debates about property, or may be charged with offences in another; an idea not entertained, as yet, as I have heard.

Lastly, it is supposed, that this claim is supported by the law of nations. Not to mention, that when the resolves of November, 1775, were made, no pretentions to national character were yet set up; it is observable, that the band of national union, the Confederation, is not yet agreed to by all, nor binding on any. Besides, a General Court of Appeals in the hands of the Supreme Power of the nation, is not, perhaps, a dictate of the law of nations, but rather the creature of treaties between the Maritime Powers of Europe. At least Blackstone, and Lee in his Treatise upon Captures,[4] say, that the Privy Council in Britain decide ultimately in prize causes, in pursuance of treaties.

After stating this controversy, I shall add, that it is now proposed, in order to support the honour of Congress in this business, that the Treasurer of the United States be authorized to pay the appealants a sum equal to the product of the sloop Active and her cargo, to be charged to the state of Pennsylvania, unless cause be shewn, &c.[5] Against this Pennsylvania will protest; nor will the difficulty end here. Should it be done, the like reimbursement will be due to Capt. Hugh McCulloch of this state, late of this city, for a ship and cargo of sugar, condemned at Boston; the appeal to Congress, which he earnestly sought here and in New-England, being denied him. Others too, in like cases, will ask like recompence; particularly, those whose vessels may hereafter be brought into Philadelphia under seizure, as the offensive act of Assembly continues in force.

It may be asked, whether this extreme nicety of character is either proper or safe, when assumed by Congress, for the Body, but much more for a Committee. The several states will doubtless have, from time to time, debates with the General Council of the nation. Now, it will be a very dangerous idea, that when Congress contend mistakingly for any point, that for the sake of the dignity of that Supreme Assembly, the state affected must recede from her right. I have hoped that these extravagant positions, which suit admirably well with the superstitious and slavish reverence paid to Princes, would be left with the Europeans. I call for no formal acknowledgments of error; but I should think it no derogation from Congress to forbear proceeding in a wrong path, when convinced of mistake. In the reign of George the First of England, an interested suitor carried an appeal from Ireland to Westminster. The British House of Lords catched at the opportunity of enlarging their authority, and voted that the decree of the Irish Lords, in this case, was void, as made without jurisdiction. Suppose the Commons of Ireland, as they ought, had impeached the Barons of their Exchequer for taking notice of and executing the judgment of a foreign jurisdiction; and that these Judges fixed *in premunire*,[6] had been subdued, and the decree of the Irish Peers executed, what would have become of British dignity? This ought to have been done. But the corrupt Commons of Ireland were managed, and the national rights sacrificed to the ambition and character of the Nobles of Britain. The Delegates of New-York must recollect the noble stand made by the Judges of the Supreme Court in the late province, in the case of Forsey and Cunningham, when a designing Governor, in a Court of Appeal, attempted to examine the verdict of a jury; a parallel case with the present; and the event of it, to wit, that his masters in England, who doubtless wished that he might succeed, ashamed of the futile claim, ordered it to be dropped. Douglas tells us,[7] that after the King and Council of Britain, determined in Mr. Winthorp's case, who appealed, when no appeal lay, that the judgment from England, declaring against the law of Connecticut for dividing inheritances, was disregarded in America, and the appeal to his Majesty still denied.

I shall leave the subject with mentioning the fatal consequence of the conduct of the British Legislature, in declaring, by act, their power over North-America in all cases whatsoever, consequently in taxing, passed, to save their honour, on repealing the Stamp act. What has become of violated dignity in this case? The people abroad suspect, that all this ado is not, however, made to repair the supposed contempt, nor yet to do justice to Gideon Umpsted and his fellows, but for the benefit of the managers of the puppets. It is thought too much for the same men to sustain the characters of Advocates, Judges, and perhaps ——— in this business,

An AMERICAN

MS not found; reprinted from the *Pennsylvania Packet, or the General Advertiser*, April 22, 1779. Authorship of this article has been attributed to Morris because it appeared over the signature, "An American," the usual pseudonym of Morris.

[1] For a discussion of Morris' own involvement in the case of the *Active*, see Morris to Joseph Reed, April 9, 1779. For information on Congress' involvement in the case, see Committee on Appeals Decree, December 15, 1778, note.

[2] That is, September.

[3] Morris was citing the third volume of William Blackstone, *Commentaries on the Laws of England*, 4 vols. (Oxford: Clarendon Press, 1765–69).

[4] Morris was citing Richard Lee, *A Treatise of Captures in War* (London: W. Sandby, 1759).

[5] See *JCC*, 13:435.

[6] "Praemunire" in English law was "an offense against the King and his government." *Black's Law Dictionary* (St. Paul, Minn.: West Publishing Co., 1979), pp. 1056–57. For its use in English history, see Blackstone, *Commentaries*, 5:103–17.

[7] Morris was citing William Douglass, *A Summary, Historical and Political, of the First Planting, Progressive Improvements, and Present State of the British Settlements in North-America*, 2 vols. (Boston: Rogers and Fowle, 1749 and 1751).

Charles Thomson to William Henry Drayton

Sir, April 22. 1779

The publication you refer to surprized me not a little, having never before had the least intimation that the examination of Capt. Folger was missing.[1] Mr Paine I knew had no access to the office, & no member of Congress had applied to me for it, since some time in January last, just before the appointment of the comee. on foreign affairs when Mr Lovel enquired for it & having read it delivered it to me again and I laid it on the top of a case in the office apart from other papers with orders that it should be put in its place. I was therefore surprized if the paper was missing that no application had been made to me.

Upon reading the paragraph in the publication, I went immediately into the office to enquire into the truth of the assertion, and know who had applied for the paper, when I was informed by the clerks in the office that Mr Laurens had asked for it about three weeks ago & that it could not then be found; that they had since searched for it, but to no effect. I desired them to continue their search & try to recollect if any other had enquired for it, or if any member had taken it out. Yesterday I went into the office to enquire further, when Col. Lovel who happened to be there looking into the apartment allotted to it found the examination said to be missing with the papers therein referred to all wrapped up in one bundle in the same manner they were when I laid them on the top of the case in January. So that I am happy to inform you that the papers are ready for any member who wishes to examine them. I am, Sir, your obedient humble Servt, Chas Thomson, Secy

FC (DLC: Thomson Papers). In the hand of Charles Thomson.

[1] The "publication" Drayton had referred to was undoubtedly the April 13 issue of John Dunlap's *Pennsylvania Packet*. In it Dunlap had printed a public letter from Thomas Paine (Common Sense) to Silas Deane, dated April 10, 1779, in which Paine had asserted that the "examination" of Capt. John Folger by Congress "is not now to be found."

The "examination of Capt. Folger" referred to here by Thomson is apparently the document now in PCC, item 72, 1:71–76. For Congress' investigation of Folger in January 1778 for the theft of the dispatches of the American commissioners in France, see these *Letters*, 8:560–64, 9:189, 550.

Thomas Adams to the Speaker of the Virginia House of Delegates

Sir Philadelphia April 23d. 1779

My ill Health and the present deranged State of my Affairs at Home render it indispensibly necessary for me to leave this Place, I have therefore to entreat that you will make my Resignation of my Seat in Congress acceptable to your Honorable House,[1] & to assure them that I have a proper Sense of the high Honor they did me in conferring on me so important a Trust.

I have the Honor to be with the greatest Respect, Yr. mo. obt. Sert.

Thos. Adams

RC (PHi: Gratz Collection).

[1] Adams' letter of resignation was laid before the House of Delegates on May 7. For the controversy created in the house over the resignations from Congress of Adams, Thomas Nelson, Francis Lightfoot Lee, and Richard Henry Lee, see Richard Henry Lee to the Virginia House of Delegates, May 4, 1779, note.

John Fell's Diary

Friday April 23d [1779]

Commercial Committee. Congress. Mr S Adams moved that Mr McKean being Enterd on the Journals as attending, might be cancelld and a Debate insue'd agreed to stand.[1] Letter from T Payne, and extract inclosed, Read. Letter from Capt Albouy Read. Committee Reported on the Petition from Bermuda for Provision, against granting the Yas & Nas being call'd & 5 for & 5 agst. the Question was lost, Recommitted.[2]

Report from the Committee appointed to Conferr with General Green.

Rhode Island Motion for Raising 1500 Men, Long Debate. (J. Dickenson from Delaware).[3]

P.M. Marine Committee.

MS (DLC).

[1] See Fell's Diary, April 22, 1779, note.

[2] See Fell's Diary, April 19, 1779, note.

[3] Fell's meaning is simply that John Dickinson took his seat in Congress this day as a delegate from Delaware. Dickinson last attended Congress, as a delegate for Pennsylvania, in July 1776. See *JCC*, 14:501; and these *Letters*, 4:364–65, 5:9–10, 563–64.

Marine Committee to Nathaniel Shaw

Sir Marine Committee, Philadelphia April 23d 1779

We request that you will immediately after the receipt of this furnish us with all Accounts relative to the Prizes put under your care and sold by you, which were taken by the Continental Brig Andrea Doria, Nicholas Biddle Esqr. Commander.

We are sir, Your hble servants, Richard Henry Lee Chr

RC (IaDaM). In the hand of John Brown and signed by Richard Henry Lee. Addressed: "Nathl. Shaw jr. Esqr, Continental Agent, New London, Connecticutt."

Charles Thomson Statement

April 23. 1779[1]

April 22. 1779 I was called out of Congress. Finding Mr Paine at the door I asked him what is [your] pleasure? On which he said I sent a letter yesterday to Congress,[2] is there any answer or have Congress given any Answer? I answered, No.

This is all that passed, & on which Mr Paine says, On enquiry of Mr Thomson your secretary I find that no answer is given *to any of my letters*, &c. Cha Thomson

MS (DNA: PCC, item 55). In the hand of Charles Thomson.

[1] Thomson doubtless drafted this statement in response to queries directed to him this day when Congress received a letter from Thomas Paine, the fourth such in three weeks, complaining of Congress' "inattention" to his grievances. "On enquiry yesterday of Mr. Thomson your Secretary," Paine declared, "I find that no answer is given to any of my letters." PCC, item 55, fols. 55-58; and *JCC*, 14:501. For his previous efforts to gain satisfaction from Congress, see John Fell's Diary, March 31, note 1, and April 3, 1779, note 3. Paine also wrote to Congress again on May 20 and 25 and June 17, 1779, but the delegates continued to ignore his appeals. See *JCC*, 14:617, 646, 742; and PCC, item 55, fols. 63-72.

[2] Paine's April 21 letter to Congress, in PCC, item 55, fols. 51-54.

John Fell's Diary

Saturday April 24th [1779][1]

Commercial Committee. Congress. Letter from the Claimants of the Sloop Active being Read after Debate, Motion to deferr the consideration to the 15th Sepr. The Assembly for the State of Pensylvania being to meet in August. Board of Warr Report that Ewing Commissary of Hides, have his, Risignation accepted, and continue in Office till another Person be appointed, Reccomitted.

N.B. Dr Benjn Franklin Minister Plenoptenary, fixt.
Silas Deane.
Arthur Lee. Court of Madrid (Never has been there).
Ralph Izard Court of Tuscany .... No use
Willm Lee. Courts of Viena & Berlin .... No use
J Adams. Private.

MS (DLC).

[1] Samuel Holten's diary entry this day reads: "Congress adjourned at 2 oClock. I ride out with the Honl. Mr. Gerry." MDaAr.

Richard Henry Lee to John Adams

My dear Sir, Philadelphia April 24th 1779

To such uncertain issue are all letters now exposed that are committed to Ship board, that it absolutely prohibits that full and explicit declaration of ones sentiments on many important points which I shall ever wish to make to you on whose wisdom and goodness I have the firmest reliance. The principles you adopt, and the conduct you intend to pursue, as mentioned in the letter you did me the honor to write me the 5 of Augt. last, I do most thoroughly approve. I know well that your support will only be given to the cause of virtue and your country, and that it will never be withheld therefrom. Who fails in doing right, fails nobly because Virtue is its own and a very great reward. You will see by the public prints, which Mr. Lovell tells me he has transmitted since the 1st of December last, that we are not exempt from the common Lot of humanity. But, tho Deanes and Partners of Deanes may and will shoot up in every Soil, and the foulness about them thicken for a time the purest streams, these will at length work themselves clear and as they run refine. The bold and sudden attempt made by Deane's Libel of Decr. 5 on the public mind, seized it for a time with great violence, and hurried it away with too much rapidity for reflection. But no sooner did men begin to think than they began to see, and S. Deane has now fallen under universal contempt and censure. I am sure it has not been this Mans fault if he hath not done more injury to these States than G. Howe ever did. But enough of him. We shall soon transmit our plan for foreign affairs, and in the mean time, we are very impatient to hear from you, not having done so for three months past. We hope Spain will join France, which will indeed make decisive work. We are preparing for the ensuing Campaign with all possible vigor, but the enemies and our troops yet remain in quarters this way, and it seems probable that the former will be glad to continue so all the Summer as they have not more than 10 or 12,000 men both in York & Rhode Island, which force, if collected, would not be sufficient to take the field. The enemy have made a successful impression on Georgia this winter, but I consider this in the same light of mere temporary effect, as we have seen all their former operations. Measures are taking to remove them from that State, and tho the Climate wars against us, it will not fight for them. I see, with you, the importance of the Confederation, and I am not without hope that it will eer long, be completed. All have agreed except Maryland, and that State it is thought will come in at the next meeting of their Assembly, which will be in a few months. The Assembly of Virginia have directed their Delegates to move Congress to fix a day for closing this great Compact between such of the States as have consented, allowing either a given or indefinite time, as to Congress shall seem best, for dissenting States to become Members. We shall shortly move Congress for this purpose[1] The Currency is an object of the last importance. Tax we do, and very largely indeed, but this is still inadequate. Some aid, by foreign Loans, is indispensable by way of absorbing the immensity of the Mass. Two Millions of pounds sterling applied this way would, with the aid of Taxes, so restore us As to put the remainder of our Money on a good foundation, and then, Taxation with œconomy will do the rest.[2]

Lately our Coasts have been pretty free from the enemies Cruisers. They have now an ample call for their Sea force in other ports, and at present our frigates preserve our trade from the interruption it met with by the numerous small Privateers of the enemy.

Be pleased to accept a pamphlet that accompanies this containing a special collection from our Journals made to counteract certain false and ill designed assertions of the British Commissioners lately here.[3]

I am, yours dear Sir with the most affectionate esteem and regard,

Richard Henry Lee

[*P.S.*] Direct your letters for me to the care of Dr. Shippen in Philadelphia.

FC (ViU: Lee Family Papers). In the hand of Richard Henry Lee.

[1] For Virginia's next move to secure ratification of the Articles of Confederation, see North Carolina Delegates to Richard Caswell, May 20; and Virginia Delegates to the Speaker of the Virginia House of Delegates, May 22, 1779. See also John Henry to Thomas Johnson, January 20, 1779, note.

[2] For some of the specific proposals found in the reports of the committee on the treasury that were under consideration at about this time, see *JCC*, 13:491–98, 14:519–20.

[3] Undoubtedly Gouverneur Morris' *Observations on the American Revolution* (Philadelphia: Styner and Cist, 1779).

Marine Committee to the Eastern Navy Board

Gentlemen April 24th 1779

Since ours of the 19th instant we are favoured with yours of the 6th.[1] As the frigate Providence will be wanted for a very Special and particular purpose we do not wish to run the hazard of her being out of the way when called for therefore we request that when she returns you will keep her in Port ready in every respect for the Sea.

We have lately purchased a Small vessel that will carry about 300 barrels flour and are now lading her with that article for the use of your Department. We are Gentlemen, Your hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] In its April 6 letter to the Marine Committee, the board had informed the committee of plans for a coastal cruise by the frigate *Providence*. Eastern Navy Board Letterbook, NN.

Massachusetts Delegates to the Massachusetts Council

Sir Philada. Apr. 24, 1779.

The inclosed Copy of a Letter to the continental Treasurer[1] is sent to inform the honble. Assembly that, agreable to the Tenor thereof, we have made a further Appropriation of the Sum of twenty five thousand Dollars out of the one hundred and fifty thousand which Congress ordered on the 5th of this month to be advanced to the State on Account.

Mr Purviance informed us that Gentlemen in this City were desirous of purchasing the Draughts of his Brothers on the Board of War; but we thought it more eligible to order the Bills to be negotiated by the Treasurer, lest they should be presented to the Board of War at a Time when they were not in Cash to answer the Draughts. We hope for the Concurrence of the Assembly in this Affair.

We are with much Truth, Sir, your very humble Servants,

Samuel Adams James Lovell

E Gerry S Holten

RC (MB: Chamberlain Collection). Written by Lovell and signed by Lovell, Adams, Gerry, and Holten.

[1] Not found, but for similar letters to Michael Hillegas, see the Massachusetts Delegates to the Massachusetts Council, April 14 and 26, 1779.

John Jay to Conrad Alexandre Gérard

Sir, Philadelphia 25th April 1779[1]

I shall do myself the honor of communicating your Favor of this day, together with the memorial accompanying it, to Congress this morning.[2]

The Importance of the Subject, as well as the Respect due to the Applications of their good & great Ally, will, I am persuaded, induce Congress to place it among the first Objects of their Attention.

I have the Honor to be Sir, With perfect Esteem & Respect, your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] Jay undoubtedly drafted this letter on April 24. Congress did not meet on April 25, a Sunday, and the memorial that is the subject of this letter clearly was laid before Congress the 24th. *JCC*, 14:508.

[2] Gérard's April 24 letter to Congress and the April 21 "memorial" from Juan de Miralles enclosed with it—"relative to two Spanish vessels captured by an American privateer and carried into the State of Massachusetts"—are in PCC, item 94, fols. 168–77; and Wharton, *Diplomatic Correspondence*, 3:134–36. They were referred to the Committee on Appeals, but before the committee returned a report on Miralles' memorial, Gérard and Miralles renewed their request for congressional intervention against Massachusetts, in letters of May 19 and 21 respectively, which were referred to a second committee consisting of Thomas Burke, James Duane, and James Lovell. PCC, item 94, fols. 206–18, item 78, 15:445–48. See *JCC*, 14:508, 617, 624.

For the report of Burke's committee and Congress' response to its recommendations, see Jay to Gérard, May 24, 1779. Miralles' letters of April 23 and 25 and June 1 to Diego José Galvez discussing this issue are in Audiencia de Santo Domingo, Legajo 1233, and Indiferente General, Legajo 1606, Archivo General de Indias, Seville.

John Jay to George Washington

Sir, Philadelphia 25th April 1779.

After Congress adjourned yesterday I was favored with two Letters from your Excellency, both of the 23rd Inst—They shall be communicated to Congress in the morning.[1]

Herewith enclosed are sundry respecting Coll. Steele's Tryal at Fort-Pitt. They ought to have accompanied the others on that Subject.[2]

I have the honor to be with the greatest Respect & Esteem, Your Excellys. most Obedt Serv, John Jay. Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 14:511. Only one of these letters is in PCC (item 152, 7:263–66), but the draft of the other is in the Washington Papers, DLC, and both are in Washington, *Writings* (Fitzpatrick), 14:435–38.

[2] For the court-martial of Col. Archibald Steel, see Jay to Washington, April 12, 1779, note 4.

James Lovell to Benjamin Lincoln

Dear General[1] Apr 25th 1779, 6 oClock P M

Majr. Mead has this moment called on me having been towards Camp, instead of Virginia as I supposed. He has not told you, it seems, that you are at Liberty to leave that Command where your Health is ruining. The President was directed not to send you the Resolve till an Officer was named to succeed you. I hope that will be Tomorrow.[2]

God spare your precious Life!

I hope Mr. Laurens was better to you than we of this House. I really have not a calm Hour to myself, or I would not omit any Express going to the Southward.

There is nothing to be written from hence that can at all benefit or amuse you, if I was not greatly engaged in preparing for the Departure of a Vessel for France tomorrow.

Schuyler's Resignation is accepted. It is said the Marqs. De Fayette is safe home so that I hope to hear of some help thence to our Currency. I am very affectionately yr. Friend & humble Servant,

James Lovell

RC (MiU-C: Greene Papers).

[1] Although the addressee is not indicated on this document and the manuscript is located in the papers of Gen. Nathanael Greene, the letter's content clearly indicates that Lovell was writing to Benjamin Lincoln. Lovell's reference to "Majr. Mead" is to Lincoln's aide Everard Meade, and it was Lincoln whose retirement had recently been authorized by Congress because of his poor health.

[2] See John Jay to Lincoln, May 15, 1779.

Gouverneur Morris to John Dunlap

Mr. Dunlap. [ca. April 25, 1779][1]

Several Pieces in your Paper[2] having reflected upon my Reputation you will do me the Favor of inserting this. That I have taken no Notice of them hitherto and take Notice of them now requires an Explanation. I neglected them because I supposed myself superior to them and I supposed so because I felt a Consciousness that I merited Something different from Detraction. I now write because some Friends whom I value at a Distance from the present Scene or otherwise not well informed draw odious Conclusions from my Silence.

It is not my Object to inveigh against any Man. Every free Citizen hath a Right to think, speak and write freely of public Measures and of public Men. As I feel no one Spark of Resentment I shall cast no one Reflection. I am vain enough to believe that I could convey a Pang to the Bosoms of those who have stimulated Publications agt me. But satyrical Remarks can do no Good ⟨*to the Public*⟩ & therefore I shall avoid them.

I applaud the Zeal of those Gentlemen who laudably endeavor to bring bad Men and bad Measures to Light. They will however pardon me for holding & declaring an Opinion that Charges not well founded in incontestible Facts are injurious to the Public. They weaken such as may be afterwards made on better Ground and by lessening the Confidence of the People frequently defeat the most salutary Efforts. If I have done Evil let the Consequences of Guilt overtake me. If not all I ask is that in future & with Respect to others a Life devoted to the Service of Mankind & the voluntary Sacrifice of Time, Ease and health in public Cares may induce so much Charity as to believe that a Difference in Opinion upon Subjects of great Magnitude does not imply a Guiltiness of Intention & That self Interest is not always the Spring of human Conduct.

I have not much Time that I can call my own nor have I a Right to intrude upon the Patience of others. Brevity on the present Occasion therefore becomes as necessary as it is proper on all Occasions. I am charged with having remarkably distinguished myself in preventing Information from coming to Congress (20 April).[3] Many others are involved with me on this Occasion. I am not conscious of this, I believe it will be difficult to point out an Instance. When Information was given relative to some Transactions of Mr Robert Morris I urged an Enquiry, I pledged myself to be his Prosecutor if he was guilty. I believed him innocent and the Event hath shewn that Innocence. I could name other Instances but as my Friendship for this Gentleman hath been mentioned on some former Occasions this will be allowed to be unexceptionable.

It hath been said (2 March)[4] that my favorite Objects are to disgrace Pensilvania, insult the President of its Council and to support Genl. Arnold. I do not remember a single Act of my Life which had a Tendency to disgrace Pensilvania neither do I conceive it possible for an Individual to bring Disgrace upon a Country which he holds no Office in and does not even belong to. While Pensilvania perseveres in a wise & manly Conduct she may be subdued perhaps but she cannot be disgraced and an Attempt to do it by an Individual would savor of Insanity. As to insulting the Presidt. of this State I can only say that it is not in my Disposition or Education to insult and that I am by no Means conscious of it in the present Instance neither do I beleive that the Presidt. himself is of the same opinion with the Writer who hath made this Charge. To have supported Genl. Arnold or any other Person cannot be criminal unless he is guilty and his Guilt known to his Supporters. But more of this hereafter.

MS (NNC: Morris Collection). In the hand of Gouverneur Morris.

[1] Although Morris did not date this document, he clearly began composing it after April 20, a date mentioned in the text, and since he wrote a conciliatory letter to President Reed of Pennsylvania on the 25th it seems unlikely that he would have expressed the sentiments contained in this draft after writing in such terms to Reed. See the following entry.

Morris' letter was intended as a public response to his many critics, particularly Reed and Timothy Matlack, secretary of the Pennsylvania Council. Whether he ever completed it is not known, but for another public letter that he had submitted to Dunlap for publication a few days previously, see Morris to Dunlap, April 22, 1779. The present document never appeared in Dunlap's *Pennsylvania Packet*, and it is easy to imagine that in the midst of composing it Morris simply concluded that its publication would not exacerbate Continental-state relations and that a settlement between Pennsylvania and Congress was desirable and attainable.

[2] That is, the *Pennsylvania Packet, or the General Advertiser*.

[3] Morris is referring to an article that appeared in the April 20 issue of the *Pennsylvania Packet* over the pseudonym "A Friend." The article was built on Thomas Paine's March 30, 1779, letter to John Jay, to which the author had added a list of "The gentlemen who remarkably distinguished themselves in preventing information coming to Congress." Morris was one of eleven delegates listed by "A Friend."

[4] An article addressed to "Gouverniure Morris, Esquire, Delegate of the state of New-York, in Congress" was printed in the March 2 issue of the *Pennsylvania Packet* signed "T.G." (Tiberius Gracchus, a pseudonym used by Timothy Matlack). See Morris to the Pennsylvania Packet, February 27, note; and William Duer's Statement, March 9, 1779, note 1.

Gouverneur Morris to Joseph Reed

Sir, Phila. 25th April 1779.

I was honored with your Excellency's Favor of the 16th late on Sunday Evening last.[1] Since that Period I have been so occupied with indispensible public Affairs that I have not been able to answer it. I hope you will excuse a Delay which by no Means proceeded from Inattention.

You express a Wish to know whether my Letter[2] was public or private. As it was my Design to render it agreable I pray you to consider it in which ever Light you shall think proper.

As you hold up the Idea that your Conduct on the Conference was that of a public Man I have nothing more to say with Relation to it but must lament in Silence my Misfortune.

Your Information of my Conduct in and out of Congress leads it seems to a Conclusion that I harbor hostile Sentiments to your Government and pursue a Line of Opposition to you. I believe your Information is not so good as you suppose. Mentioning out of Congress Matters which pass in it tending to irritate shews a Disposition in the Relator which renders many Allowances necessary for a candid Interpretation. I did indeed as a Delegate reprobate those Proceedings of your Council which in my Opinion reflected upon Congress; but even this would have been done with more Temperance if I had not been stimulated by Attempts to prevent it under the Pain of personal Danger. As for the Rest I still think as I always did that in your State and every other the Government as a Government is to be supported that the Form and the Administrators of it depend on the People and that Congress ought not to interfere either one Way or the other.

My Conduct out of Congress has been much misrepresented and I could give you Instances to contradict the Conclusions you have drawn but this is not the Season nor are you perhaps in the Temper to receive them.

Clearly you have misunderstood what I said with Respect to the Personalities in Arnold's Case. Many Reasons will suggest themselves to you upon Consideration to shew sufficient Ground for the Hint without touching you and to remove from me the Imputation of a Versatility of Conduct which you have charged me with.

Whoever hath asserted that I encouraged Genl. Arnold and those about him to insult your State was either misinformed himself or meant to deceive you. The direct contrary is true. The Mischief was done before I knew a Syllable of the Matter. Afterwards I advised Concession and Apology tho I did not think myself authorized to compel them.

You say that you have incurred Censure for parting with Wilkins's Letter.[3] To gratify the good Wishes of those who can censure one Gentleman for sending another his Letters I return that in Question. Permit me at the same Time to express my Acknowlegement for the Sacrifices you made on that Occasion.

That my Enmity or Friendship are indifferent to you I can easily beleive because I have a juster Sense of my own Insignificance than the World are willing to allow me. I wish to be at Peace with all Mankind and am far from insensible to Enmities which I have not merited tho I feel a thorough Contempt for Detraction.

With all due Respect, I have the Honor to be, your Excellency's most obedient & humble Servant, Gouv Morris

RC (NHi: Reed Papers).

[1] Reed's April 16 letter to Morris, which was written in response to Morris' April 9 letter to Reed, is in the Reed Papers, NHi. Although Reed's letter was defensive in nature, it opened the door for this moderate response by Morris. Even though no further letters in this period between them are extant, the two men were clearly able to smooth over their differences and subsequently exchanged letters and met privately. For information on their relationship, see Morris' letters to Reed of April 9 and July 9, 1779, and the preceding entry; Max M. Mintz, *Gouverneur Morris and the American Revolution* (Norman: University of Oklahoma Press, 1970), pp. 124–26; and Mary-Jo Kline, *Gouverneur Morris and the New Nation, 1775–1788* (New York: Arno Press, 1978), pp. 145–48.

[2] That is, Morris' April 9 letter to Reed.

[3] Morris had written a letter to his brother-in-law, New York loyalist Isaac Wilkins, in 1775, which had recently been made public. It was cited by his detractors as evidence of Morris' "loyalist sympathies." See Mintz, *Gouverneur Morris*, p. 128; and these *Letters*, 9:425.

John Fell's Diary

Monday [April] 26 [1779]

Commercial Committee. Congress. A Number of Letters Read. &c. Order of the Day, Whether Mr Arthur Lee should be Recall'd, which Occasiond very warm Debates indeed. continued till 5 O Clock. P M Marine Committee, (Dr Wetherspoon & Dr Scudder).[1]

MS (DLC).

[1] Only Nathaniel Scudder's attendance is noted in the journals for this day. Secretary Charles Thomson probably failed to record John Witherspoon's appearance simply because he was in and out of Congress repeatedly during 1779. Both New Jersey delegates are listed on a roll call vote the next day. See *JCC*, 14:512, 517.

John Jay to George Washington

Dear Sir Philadelphia 26 April 1779

The Questions contained in your Favor of the Day of April Inst.[1] are as important, as the Manner of introducing them is delicate.

While the maritime Affairs of the Continent continue under the Direction of a Committee, they will be exposed to all the Consequences of Want of System, Attention and Knowledge. The marine Committee consists of a Delegate from each State. It fluctuates—New Members constantly coming in and old ones going out. Three or four indeed have remained in it from the Beginning, & have a proportionate Influence, or more properly *Interest* in it. Very few of the Members understand even the State of our naval Affairs or have Time or Inclination to attend to them. But why is not this System changed? It is in my opinion convenient to the Family Compact.[2] The commercial Committee is equally useless. A Proposition was made to appoint a commercial Agent for the States under certain Regulations. Opposition was made. The ostensible Reasons were various. The true Reason was its interference with a certain commercial Agent in Europe, and his Connections.

You will if I mistake not find Mr. Gerard disposed to be open and communicative.[3] He has acquired an extensive Knowledge of our Affairs. I have no Reason to believe he will use it to our Prejudice. There is as much Intrigue in this State House as in the Vatican, but as little Secrecy as in a boarding School. It mortifies me on this Occasion to reflect that the Rules of Congress on the Subject of Secrecy which are far too general and perhaps for that Reason more frequently violated, restrain me from saying twenty things to you which have ceased to be private.

The State of our Currency is really serious. When or by what Means the Progress of the Depreciation will be prevented is uncertain. The Subject is delicate, but the Conduct of some Men really indicates at least great Indifference about it. It will not be many Days before Measures having a great tho not immediate Influence on this Subject will be either adopted or rejected. I shall then have an opportunity of being more particular.

I am my dear Sir with perfect Esteem & Regard, Your most obt Servant,

John Jay.

RC (DLC: Washington Papers).

[1] The letter to which Jay refers is dated "April 23d 1779" in the draft. Washington Papers, DLC; and Washington, *Writings* (Fitzpatrick), 14:435-37. In it Washington had posed the question—"what are the reasons for keeping the Continental frigates in Port?"—that Jay addressed in the following paragraph.

[2] A reference to the Lee family of Virginia and their allies in Congress.

[3] This letter was probably delivered to Washington by Conrad Alexandre Gérard, who left Philadelphia the following day to visit the general at his headquarters to discuss plans for the return of comte d'Estaing to North American waters for the forthcoming campaign. The subject was still a secret that was not generally shared with Congress until the French minister returned from his talks with Washington. See Gouverneur Morris to Washington, this date; Henry Laurens to John Laurens, May 2, note 2; and Jay's third letter to Washington of May 10, 1779.

Henry Laurens' Notes on William Paca's Motion

[April 26, 1779]

Whereas by intelligence communicated by the Minister of France—respects Negotiation for Peace.

And whereas information has been given that Arthur Lee Esquire does not possess the confidence of the Court of France or of Spain &c.

And whereas the Sieur Gerard Ministre Plenipotentiary from the Court of France can give information whether the said A.L. Esqr does possess the confidence of the said Courts &c.[2]

☞The above is the substance of the Preamble, the following, is verbatim, the Resolution moved for.

"Resolved that the Sieur Gerard be requested to inform Congress whether Mr. Arthur Lee possesses the confidence of the Courts of Versailles & Madrid in such degree as that they can & will fully & freely, consult with & entrust him on all matters & things which relate to the welfare & happiness of these States & the common Interest & of the Alliance between these States & the Court of France."[3]

26th April 1779. Moved by Mr. Paca—secondd. Mr. Drayton or Mr Burke or both, long debated—Congress adjourned.

I had moved to put the Question, without debate & I called for Yeas & Nays.

MS (ScHi: Laurens Papers, no. 31). In the hand of Henry Laurens and endorsed by him: "Mr. Paca's Motion for enquiring of Mr Gerard concerning the confidence of the Courts of Fr. & Spain—in A Lee Esquire, & Mr Gerard's Letter to Congress on appointment of foreign Ministers.

"Concerted, the Motion founded on the letter.

"Gouvernuer Morris. 'some Gent. have enquired who should succeed Mr. Lee if he is recaled. This enquiry will come time enough after we shall have recaled him.' "

[1] The motion by William Paca noted here by Laurens was offered this day when, according to Secretary Thomson's cryptic journal entry, "Congress resumed the consideration of the report of the Committee on Foreign Affairs." Nevertheless, the evidence concerning this debate is ambiguous, for according to two documents in PCC—which have been published in Worthington C. Ford's edition of the journals—the motion seems to have been offered on the 28th. See PCC, item 36, 1:21–25; and *JCC*, 14:534–35. More convincing, however, is the step-by-step account of the fate of Paca's motion related by Laurens in a second set of notes on Congress' proceedings, which have been printed below under the date April 30, 1779. Because Laurens so explicitly asserts that "Mr. Paca's motion was made on the 26th," and the April 28 dates on the two related documents in PCC may have been supplied by Charles Thomson on or after April 30, Laurens' testimony has been accepted here and the conflicting evidence discounted.

[2] See *JCC*, 14:534.

[3] See *JCC*, 14:535.

Richard Henry Lee to Francis Lightfoot Lee

My dear brother Phila. April 26, 1779

I sincerely condole with you for the loss of our amiable and worthy friend Colo. Tayloe, but he is happy, far happier than those he has left upon this turbulent wicked stage. The inclosed paper will shew you the fortunate success of our little fleet from Boston. The Marine enemies stare and are ashamed of their purblind policy which has so often condemned exertions in this way. We go slowly on in foreign affairs. It has however been resolved not to recall Dr. Franklin, and so far the party have failed, because the plan was to recall them all to make room.[1] This day I have heared all the artillery discharged with great vehemence against Dr Lee, and prodigious aid is derived from the whispers of G——d.[2] A doctrine quite new in the history of politics is broached now, which is, that it becomes the dignity, and consists with the interests of Sovereign powers to consult foreign Courts, and less then that, foreign Ministers, who the first shall send to represent them abroad—And this altho such resident Minister shall clearly and unequivocally engage in faction, and party doings, to support a Man whose conduct is insupportable. What will such things lead to in the end? I see nothing but disgrace, contempt, and ruin. Perhaps the Man[3] whose understanding, zeal, and spirit, prevented the 12th article from being closed upon this Country may have been on that account not quite so agreeable, but surely *we* have no cause to complain of him—And to this may be added that an host of plunderers have been disconcerted in the Mercantile way, which has raised a prodigious cry. But this Great evidence[4] has given it from under his hand that the Court of France did not adopt the sentiments of those who represented Dr. Lee as antigallican or favoring England and being averse to the Alliance. Mr. Laurence said in Congress, the whole convinced him that Dr. Lee was an honest, faithful, able & diligent Servant of the United States. How these affairs will end I know not but this I do know, that I am quite tired of the wickedness and folly of such part of the world as I have lately had an opportunity of considering, and wish for a few days to pass over when I may retire. Things are not worse to the Southward, but they are not very pleasing. I think our State has not exerted itself properly for the relief of its oppressed and endangered Sisters.[5] The enemy have lately sent 9 more regiments from N. York, but whether for Georgia or the W. Indies is uncertain. They are weak now in this quarter.

My love to Mrs. Lee, and remember me to Dr. Jones and Mr. Gibberne. I would not change an hour of the sensible conversations of the former and the facitiousness of the latter for an age of Congress wisdom.

I should have written by this post to our freind Mr Page of Mannsfield, but I suppose he is with you. Salute him for me. Adieu,

Richard Henry Lee

[*P.S.*] Give my love to Mr. Parker and tell him that I am so oppressed with business that it is impossible for me to write to him now—thank him for his favor of the 13th.

1800 barrels of Flour	Cargoes of the 7 prizes
2200 do. of Beef & Pork	
£120,000 Sterlings worth of Beef & Pork	

RC (MH-H: Lee Papers).

[1] For the origins of the "recall" debate, see John Fell's Diary entry for April 6, note 2.

[2] Conrad Alexandre Gérard. In his April 18 letter to William Shippen, Jr., Lee had referred to the French minister as a "*little great whispering* Politician."

[3] That is, Arthur Lee. For his opposition to the twelfth article of the commercial treaty with France, see Lee to Benjamin Franklin and Silas Deane, January 30, 1778, as well as their reply and their letters to Gérard and comte de Vergennes, February 1, 1778, in Wharton, *Diplomatic Correspondence*, 2:481–83. See also Ralph Izard to Henry Laurens, February 16, 1778, ibid., pp. 497–99; and these *Letters*, 11:132–33.

[4] That is, Gérard. Lee is apparently alluding to the French minister's April 21 statement to Samuel Adams, for which see Henry Laurens' Notes Respecting Gérard's Views of that date.

[5] See Committee of Congress to George Washington, April 28, 1779.

Massachusetts Delegates to the Massachusetts Council

Sir, Philadelphia April 26th. 1779.

The repeated Accounts which are brought to us concerning the Want of Bread in Massachusetts Bay have induced us to promote the Business on which Mr. Dugan was sent by the Board of War, so far as to put into his Hands the remaining Part of the Money which we obtained from Congress on the 5th of this Month.[1] He represented to us that he was at a Stand in his Purchases for Want of current Money, and that his Prospects of obtaining Flour were now good. It was really on the Score of his Representation of the Unserviceableness of the Notes which he brought from Boston that we obtained the Grant from Congress, and we hope that our Afterproceedings will not disappoint any Views of the honorable Assembly which may have originated from the Information we gave of the Money in the Treasury here being liable to their Order. We have thought that we were conducting for the best, under a Pressure of several Necessities.

We are much rejoyced at the News which is brought this Morning by Captain Palmes.[2] It is great in every View, and in particular it affords Relief to our Minds under Anxiety about the Scarcity of Bread in Boston and other Parts of the State which we have the Honor to represent.

We inclose a Copy of our Letter to Mr. Hillegas respecting the last Appropriation,[3] and are, Sir, Your most obedient, humble Servants,

Samuel Adams E Gerry

James Lovell S Holten

RC (M-Ar: Revolutionary War Letters). Written by Lovell and signed by Lovell, Adams, Gerry, and Holten. Addressed: "Honorable President of the Council of Massachusetts Bay in Boston."

[1] See the letters of the Massachusetts Delegates to the Massachusetts Council, April 14 and 24, and to the Maryland Council, April 16, 1779.

[2] Capt. Richard Palmes, commander of marines on the frigate *Warren*, brought news of the many prizes taken by the *Warren* and *Queen of France* on an abbreviated cruise. Palmes' trip turned out to be unauthorized and triggered an angry response from the Eastern Navy Board. See Eastern Navy Board to the Marine Committee, April 28 and May 18, 1779, Eastern Navy Board Letterbook, NN.

[3] The Massachusetts delegates sent the following letter this day to Michael Hillegas, Continental treasurer: "We think it for the public Service of the State of Massachusetts Bay that you should advance to Mr Cumberland Dugan sixty five thousand Dollars more of the one hundred and fifty thousand which Congress ordered for the use of that State on the 5th of this month, and that you should take from him in exchange as nearly the amount thereof in Notes of the Treasurer of that State as can conveniently be made by Mr. Dugan, vizt. 19,000 Lawful Money, and his receipt for the Balance, which Notes & Receipts we authorise you to pay in discharge of the Drafts of the State as they may be presented to you on account of the beforementioned Warrant for 150,000 Dollars." Revolutionary War Letters, M-Ar.

Gouverneur Morris to George Washington

Philaa. 26th April 1779.

Dr Genl.

You must permit me most heartily to congratulate you upon the very important Intelligence which Monsr. Gerard will confidentially communicate to you. It is and indeed ought to be a Secret even from Congress for which I need give you no Reasons as you are but too well acquainted with them.[1] Measures have already been taken for obtaining the necessary Supplies which the Minister will detail to you. These you will undoubtedly assist as far as may fall within your Line. When the Enemy went to the Southern States I considered it as a Kind of Madness and I think they will feel the Consequences but certainly it cannot be worth while to loose a Moment unnecessarily in that Quarter for the Climate will fight for us during the Summer and what shall remain may be compleated in the Autumn if the other Objects succeed.

The first then should be to bring on a considerable Quantity of Rice which together with Flour from the middle States must be transmitted Eastward for the Ulterior Operations. To accomplish N.Y. perhaps the Western Detachments may be useful as a Feint but will it not be still more effectual to risque almost a Retreat in Case of Attack by detaching to Albany as if in Prosecution of an Expedition to Canada, calling upon Connecticut, New York, and New Jersey for a Body of Militia to answer the immediate Purpose of protecting the Country and the remote Purpose of more Consequence. This would probably lull the Enemy into Security and false Intelligence might be superadded to deceive them. In a few Days the Force nevertheless could be collected from Fort Edward and the Mohawk River to Albany brought down to the Highlands by Water and cooperate &ca. A Part with the Militia of Connecticut and New York might alarm the Enemy at Fort Kniphausen and make the necessary Preparations to throw a Bridge over the River at Haerlem. The main Body by possessing themselves the Landing opposite to Greenwich might at a proper Opportunity be thrown across. The Jersey Militia would keep Staten Island in Alarm and secure the Posts in the Rear. The other Troops might be landed to attack as the Enemy landed to attack you. This with a Fire upon the Town would in all human Probability effect the Purpose. That Point gained Rhode Island would be an easy Acquisition as the whole Force might then be turned to that Object and then the great End would follow in it's Course. The Magnitude and Importance of Things like these speak for themselves.[2] The Practicability will I think be made evident when the Means are considered. You will see the Necessity of opening yourself fully to Mr Gerard upon your Designs & taking with him all proper Measures. Cattle Carriages for heavy Artillery and the like should be assembled at Portsmouth or some such convenient Place. You will have the Advantage on this Occasion at least to be sure of your Secrets and indeed such Steps may be taken that in the Ignorance of the Enemy as to the State and probable State of Things in the West Indias it will be impossible for them to develop the Combination of Incidents so distinct as those which may be necessary at once to fulfill the Objects in View and blind them.

Excuse the Length & Tediousness of this Letter and beleive me with all the Sincerity of private Friendship superadded to publick Esteem, affectionately, your Friend & humble Servant, Gouv Morris

RC (DLC: Washington Papers). Addressed: "His Excellency George Washington Esqr., HeadQuarters. By Monsr. Gerard."

[1] For discussion of Conrad Alexandre Gérard's news that the comte d'Estaing would return with his fleet to American waters, see John Jay to Washington, this day, note 3.

[2] Morris' proposal to attack New York City was received coolly by Washington, who in his May 8 reply argued for the relief of the southern states as "an object of the greatest magnitude." Washington, *Writings* (Fitzpatrick), 15:23–26.

William Whipple to John Langdon

My Dear Sir, Philadelphia 26th April 1779

Your favor of the 5th inst. (which is now before me) gives me the satisfaction to find I am likely to be relieved in the course of the summer—my anxiety for the determination of some important matters will keep me longer than I intended, at present I think it will be July before I take my leave.

The successes of the Warren, Ranger and Queen of France has given Such credit to the M.C.[1] that we have been able without any difficulty to obtain a grant of 500,000 for the Eastern Department which will be sent forward as soon as possible[2]—this Sum together with the proceeds of the prizes will I hope carry you through the summer. I hope some of those prizes will get into your hands.

I am sincerely yours, Wm Whipple

[*P.S.*]I intended to have written Mrs. W. but being this moment called off must defer it till next time; *tell her so.*

Tr (DLC: Peter Force Collection).

[1] Marine Committee.

[2] These funds were not actually approved by Congress until May 11. *JCC*, 14:570.

Samuel Adams to John Pitts

My dear Sir Philad April 27 —79

I have read several of your favors which I have not yet answered. You will not I am sure, impute it to Inattention or Neglect. I have been often sick. I have been fatigud with Business, whereby I am become greatly indebted to all my Friends in the Epistolary Way. Shortly I hope to see them when I shall make a satisfactory Apology. Upon what Foundation do they build their Hopes of Peace? Congress, they say, have receivd great News. No such thing. There is Nothing I know of worth your hearing which you have not already heard. Be not amusd by the Tales of *interested* Politicians, Speculators & Tories. A false Hope of peace in the Time of War does a World of Mischiefe. The latest & best Advices I have seen mention Britain as breathing Nothing but Revenge. Besides, were we to expect serious Overtures, did a wise Nation ever remit their Exertions at such a Juncture? I hope America will persevere in this glorious Struggle till she obtains what in Reason she ought to insist upon. This you will tell me is saying just Nothing at all. Very true; and why should one speak when it is the Time to be silent? At a proper time when I shall have the pleasure of seeing you, I will chat with you upon the Subject. Let me only ask you at present, Is not the Fishery as valueable to America & more so to old Massachusetts than the Tobacco Fields of the middle States or the Rice Swamps of the South?

Ask my old Fd the Hon T C[1] what he thinks of the pious Lord Dartmouth now. Adieu. SA.

FC (NN: Adams Papers). In the hand of Samuel Adams.

[1] That is, Thomas Cushing.

John Collins to John Warren

Dear Doctor[1] Philadelphia the 27 April [1779] 5 O Clock PM

By a Gentleman from Virginia[2] we are informd he over toock an Express from CharlsTown South Carolina last evening whose horse was tired, who informed him General Linknon had defeated the British armey from George [Georgia], killed 150 on the Spot and taken 500 prisoners, the Enemy had Crossd. the Savana River with a design to march to Charlstown.

The News Comes So direct it is not doubted, if trew it is a Grand affair.

I Write this in the Post office.

I am with Regard yours, John Collins

RC (MHi: J. C. Warren Papers). Addressed: "To Doct. John Warren, Boston."

[1] John Warren (1753-1815), Collins' son-in-law, was a Boston physician who in 1782 became the first professor of anatomy and surgery of the medical department of Harvard College. See *DAB*; and these *Letters*, 5:548n.1.

[2] Perhaps William Fleming, a delegate from Virginia, who arrived in Philadelphia on this day. *JCC*, 14:527.

James Duane to George Clinton

Sir;

Philad. 27th April 1779.

We had the Honour of your Excellency's Favour respecting the Exchange of our unfortunate Friends in the Hands of the Enemy.[1] Congress some time since vested the Commander in Chief with full power to settle a general or partial Cartell for the Exchange of Prisoners, leaving the whole transaction to his Discretion. I have for this Reason, with the approbation of my Colleagues, transmitted your Excellency's Letter and the Enclosures to the Commander in Chief, and requested him to correspond with you on the Subject: & I have no doubt but he will do every thing you wish or recommend.[2]

I congratulate your Excellency on the important Success of our little Squadron; it is a Seasonable Supply for us, & will distress our Enemies. Favourable Reports prevail respecting the Operations to the Southward but they are not sufficiently authenticated to deserve a detail of particulars.

The Extravegance of living here is beyond description and the Burthen of publick business, intollerable. I am for my own part worn down and stand in great need of Relaxation; when our Finances are placed on some Footing, I must beg for your Excellency's Indulgence, the more so, as I am here without Summer Cloaths, and cannot reconcile it to my Feelings to purchase at the immoderate Prices which are current.

I beg leave to refer your Excellency to Mr. Lewis for Information on the State of publick matters, and have the Honour to be, with the highest Respect, Dear Sir, Your Excellency's most Obedient humble Servant,

Jas. Duane.

Reprinted from Clinton, *Papers* (Hastings), 4:761-62.

[1] For Gov. George Clinton's April 11, 1779, letter concerning the exchange of civilians captured and placed on parole by loyalist and Indian forces in New York, see ibid., pp. 710-11.

[2] For Duane's letter to Washington and the general's response, see New York Delegates to Washington, this date.

John Fell's Diary

Tuesday [April] 27th [1779]

Coml Committee. Congress. Petition from General Arnold. Letters from S. Deane. Genl Gates,[1] Genl Heath, General Washington, order on the Treasury for 2000 Guineas.[2] Letter from Lt Hale, Committed.

Auditors 8 Drs. Per Day. Jos Howell Nominated.[3] This day, too much like many others, spent in Debate to answer no valuable Purpose.

P.M. Marine Committee.

MS (DLC).

[1] The journals do not record the receipt of a letter from Horatio Gates this day.

[2] Congress' resolve authorizing Washington to draw on the treasurer "to the amount of two thousand guineas" indicates that the action was taken to provide "specie for secret services." *JCC*, 14:526.

[3] Capt. Joseph Howell, having already been recommended by the Board of Treasury as an additional army auditor, was actually elected to the post this day. *JCC*, 14:515.

Marine Committee to the Commissioners at Paris

Sirs April 27th. 1779

We have long expected that the Agents in France would have furnished us with accounts of their Disbursments for the Continental Ships of war and with the Sales and distribution of Prizes taken by those Ships, but are Still without them. It is now become highly necessary that we should have these Accounts, therefore we request Gentlemen that you will give Orders to the Agents immediately to make them up fully and clearly and send them to us as soon as possible as we have already been much embarrassed for want of them. We also request that in future you will give strict orders that it be the constant practice of the Agents to furnish this Committee regularly with Duplicate or triplicate Accounts of their Disbursments for the Continental Vessels of war, Inventories of all Prizes taken—Accounts Sales corresponding with those Inventories & the distribution made of such Prizes.

The Ship Reprizal being unfortunately lost returning to America, we have frequent application made to us for pay & Prize Money by the representatives of her Crew which from the want of accounts we are unable to satisfy, the Cutter Revenge commanded by Captain Conyngham is arrived here, and is partly claimed by private persons, we are equally at a loss for want of her accounts and the many Prizes she took in the European Seas. When necessity obliges advances to be made to Navy Officers in France that are returning from captivity or otherways, we request you will order that we be regularly advised of all such advances.

We have the honor to be, Gentlemen, Your very hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to the Eastern Navy Board

Gentlemen April 27th 1779

Since ours of the 24th instant we have not been favoured with any of yours, Captain J.B. Hopkins has informed us of the great success of the Continental ships in their late Cruize,[1] which account was very pleasing and we hope 'ere this the Prizes are all Arrived. We request that you will prepare for the Sea with all possible expedition all the Continental Vessels of war that are now under your direction to go upon a Cruize of great utillity to the Public and benefit to the Seamen and you will shortly receive our further Instructions concerning their destination. You are hereby directed to purchase the Prize Ship Jason of 20 Guns & the Prize Schooner Hibernia provided on Survey they are found to be suitable Vessels for the Navy. If they are purchased you will prepare them to sail with the other Vessels. We have had reason to beleive that the frigate Confederacy would have been ready and at sea some months ago, which not being the Case we desire you will inform yourselves immediately of the cause of her detention and as it is of great and immediate importance to the Public that She be immediately got to Sea, if in your Opinion that purpose will be more speedily effected by giving Captain Saltonstal the command of her, we desire you will do so, and immediately thereafter cause a Court of Inquiry to examine into the conduct of Captain Harding.[2] We request you will send forward to us with all despatch properly adjusted compleat accounts of the Prizes taken by the frigate Deane on her late cruize. That vessel is now in this River and her Crew will expect to receive their share of Prize Money before they reenter therefore it is of much importance that we be speedily furnished with the necessary Papers to enable us to make distribution amongst them. Captain Nicholson writes to his Agent Mr Mathias Brimmer to pay the proceeds into your hands, and you can draw upon us for the amount. We beg this business may be finished with all despatch.

The Number of Marine officers now in Commission we consider are more than is consistent with that œconomy which Should be Observed in all our public Affairs—and as a new System is now forming for the regulation of the Navy Department, we do not desire to have any new officers of that kind apointed.

As the One twentieth part of Prize Money alloted for the commander in chief by the Regulations of Congress concerning the distribution of Prizes, was under the Idea of such an Officer being at the head of the Fleet; but as at present there is no such Officer, It is our determination that the Said twentieth part be distributed Amongst the Officers and Crews of the Ships at large, which you will please to make known to the Agents in your department. We Shall Shortly send you a supply of money and are Gentlemen, Your very hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] This news from John Burroughs Hopkins was brought to Congress by Capt. Richard Palmes. For the consequences of Palmes' unauthorized trip to Philadelphia, see Massachusetts Delegates to the Massachusetts Council, April 26, 1779, note 2.

[2] The Marine Committee also sent these same directions for the *Confederacy*, and captains Dudley Saltonstall and Seth Harding, with the following introduction from a letter of this date to John Deshon, Connecticut's member on the Eastern Navy Board:

"By a letter from your Board this day we are informed of your being now in Connecticut. We think proper to make you acquainted with a Paragraph of our letter of this day to your Board and desire you will take such measures as you may think will tend to despatch the business to which it relates . . . ." Paullin, *Marine Committee Letters*, 2:69.

Marine Committee to Samuel Tucker

Sir[1] April 27th 1779

On receipt of this[2] we desire you will proceed with the frigate Boston round from Cheseapeake Bay into Delaware Bay and immediately inform us of your arrival with the Situation of your Ship.

We are Sir, Your Hble Servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Samuel Tucker (1747–1833), Marblehead, Mass., ship captain, had been appointed to command the Continental frigate *Boston* in December 1777, after having commanded a schooner in General Washington's small fleet during 1775–76. In 1778 he carried John Adams to France in the *Boston*, and during the following two years he commanded the frigate on a number of successful cruises. Unfortunately, Tucker and the *Boston* were captured at Charleston, S.C., in 1781. Philip C. F. Smith, "Captain Samuel Tucker (1747–1833), Continental Navy," *Essex Institute Historical Collections* 112 (July 1976): 155–268.

[2] The Marine Committee sent this letter under cover of the following brief letter of this date to James Maxwell and Paul Loyall, Continental naval agents at Gosport, Va.:

"Inclosed is a Letter for Captain Samuel Tucker of the Continental frigate Boston which it is probable will shortly appear in your Bay. We request you will take measures to have this letter delivered to Captain Tucker immediately upon his Arrival." Paullin, *Marine Committee Letters*, 2:70.

Gouverneur Morris to Jeremiah Wadsworth

Sir Phila. 27th April 1779

The great demand for Flour requires undoubtedly very great Exertions and therefore I am to advise in the first place very rigid Oeconomy in the Expenditures of that scarce Article Secondly I presume that what you had to the Eastward what hath been carried in there and what may be spared from New York will if well husbanded last untill the 1st of July for if there be a Sufficiency untill the 1st of May from the other Sources 1500 Barrels of the Prize Flour will contain at least 300,000 Rations which for 5,000 Men will last 60 days. Allowing the consumption of the Grand Army to be 2000 Barrels per Month then from the 1st of April to the 1st of October which is 6 Months will require 12000 Barrels, A delivery of 3000 in April and about 3,000 on hand leaves only 6000 which may certainly be procured in the City of Philadelphia if Purchases be stopt elsewhere. You will therefore Order all the purchasers to the Southward of the Delaware instantly to desist except those who may be employed in laying up Magazines to the Westward who ought also to desist when the Magazines are compleated and you are to assign as a reason that the State of the Magazines is such as to render their Efforts unnecessary. What may be in Jersey is not counted upon tho certainly all that can be had should be procured there but at Philadelphia about 11,000 should be procured so as to leave an Overplus of 5,000 in case of untoward Accidents.

I am Sir Your most Obedient & humble Servant,

Gouvr. Morris

Tr (CtHi: Wadsworth Papers). In a clerical hand.

New York Delegates to George Washington

Dear Sir, Philada. 27th April 1779

I beg Leave to recommend the enclosed paper transmitted by Governour Clinton to your Excellency's Attention.[1] As you have full power to conduct the Exchange of Prisoners it is needless to lay them before Congress.[2] Permit me to request your Excellency to favour Governour Clinton with the Directions you may think proper to give on this Subject.

I have the Honour to be—for myself and the Delegates of New York—with the utmost Respect—Dear Sir, your Excellency's most Obedient humble Servant.

Jas. Duane

RC (DLC: Washington Papers). Written and signed by James Duane.

[1] See Duane to George Clinton, this date.

[2] Washington reported to Duane on May 3 that he did not have the authority to exchange civilian prisoners and that the states had arranged these exchanges in the past. Duane had this deficiency remedied by obtaining the adoption of a resolution by Congress on May 22 authorizing the commissioners for Indian affairs for the northern department to negotiate the exchange of American civilian prisoners "for disaffected citizens who are desirous to join the enemy." See *JCC*, 14:636; Washington, *Writings* (Fitzpatrick), 14:485-86; and Duane to Washington, May 17, 1779.

William Whipple to Josiah Bartlett

My Dear Sir, Philadelphia. 27th April, 1779.

Your favor the 3d inst.[1] reached me last evening—I shall omit for the present to express my surprise at a piece of intelligence therein contained.[2] I think I wrote you some time ago that I should tarry here as long as my health would permit, that is still my determination, at least till some very important matters now under consideration are determined, which I expect according to the common course of Business, will take at least two months, whenever I find it necessary for me to take my leave, I shall give at least a month's notice that my seat may not be long vacant.

Our affairs at the southward does not wear so agreeable an aspect as I could wish, a recommendation has gone thither to raise some regiments of *Negroes*,[3] how that will operate cannot yet be determined, if it should be carried into effect it will produce the Emancipation of a number of those wretches and lay a foundation for the Abolition of Slavery in America. I hear an express is on the road from Boston with dispatches from France, if they contain anything important, you may expect as much as I have liberty to communicate by next post, in the mean time believe me with great respect, Yours very sincerely, Wm. Whipple

MS not found; reprinted from *American Antiquarian* 2 (Sept. 1871): 108.

[1] Bartlett's April 3 letter to Whipple is in Bartlett, *Papers* (Mevers), pp. 251-52.

[2] Whipple was probably referring to the election of Woodbury Langdon as a delegate to Congress. Woodbury, the brother of John Langdon, had been on business in England and France from 1775 to 1777 and had returned to America under mysterious circumstances late in 1777. See these *Letters*, 2:310n.2, 8:620n; and *DAB*. He did not take his seat in Congress until September 3, 1779.

[3] For Congress' decision to approve the raising of black troops, see Thomas Burke's Draft Committee Report, March 25, 1779.

Committee of Congress to George Washington

Sir, Philadelphia April 28th 1779

The inclosed letter from the Lieutenant Governor of South Carolina, committed by Congress to the consideration of a committee of three, and which, in the name of the committee I have now the honor to inclose your Excellency, will shew you the extremity to which our affairs in that quarter are driving.[1] The Committee find a choice of difficulties in this business, because the reliance on Militia from Virginia having in great degree failed, there appears no remedy but such as will lessen the force you had a right to expect from Virginia for reenforcing the main army. We have no reason to suppose that a greater force than 1400 militia, perhaps not more than 1000 will go from North Carolina, and of the 1000 ordered by the government of Virginia, we learn that not more than 350 have been obtained. In this state of things, the Committee submit to your Excellencies wisdom, and better knowledge of military affairs and intended operations, the following measures.

That the 2000 new recruits now in Virginia be forthwith regimented and ordered to join the Southern Army. That a sum of money be sent to Colo. Bland, with orders to reinlist the men of his regiment, and proceed without delay to the same destination. If Sir, this plan should meet your approbation, the Committee are of opinion that the sooner it were carried into execution the better.

Your Excellency will be pleased to return the inclosed letter, and the Committee wish to be favored with your opinion of the eligibility of this measure, and if there is a probability of its being soon executed; or what additional or other method may occur to your Excellency for relief of the southern States, which we find by conversing with General Howe (who is just arrived here) demands speedy and powerful assistance.[2]

I have the honor to be, with the highest sentiments of esteem and regard, Sir your Excellencies most obedient and very humble Servant.

Richard Henry Lee

RC (DLC: Washington Papers). Written and signed by Richard Henry Lee.

[1] The April 5 letter of Thomas Bee, lieutenant governor of South Carolina, to Will
Henry Drayton was laid before Congress on April 26 and was referred to a "committe
three" consisting of Richard Henry Lee, Thomas Burke, and Henry Laurens. In his le
written in the absence of Gov. John Rutledge, who was in the field raising troops,
expressed fear of imminent attack both by land and sea by reinforced British troops
Georgia. He complained that when Boston, New York, and Philadelphia were attac
"theirs was made a common cause" with troops drawn to their aid from as far south as N
Carolina. In this instance the only Continental battalion that could be spared was Cas
Pulaski's cavalry corps, which he felt would arrive too late or too worn out to be of ser
Moreover, Bee had just learned to his "great surprise" that only one thousand troops c
be expected from Virginia, "at some Distant Period" and "most of those without Ar
Indeed, he observed, "if Congress mean we should make the best Terms for ourselve
can—I wish they would be Explicit." See *JCC*, 14:512; and PCC, item 72, fols. 485

[2] For Washington's reply to the committee, the committee's report, and the action t
by Congress, see South Carolina Delegates to John Rutledge, May 7, 1779.

John Fell's Diary

Wednesday, Apl 28th [17

Coml Committee. Congress. Letter from Bermuda for Indian C
Refd to the same Committee as the last. Memorial from General Greer
behalf of himself & Deputys Referrd to the Committee appointed to C
fer with G Green. Memorial of the Sloop Active. This Sloop gives a g
deal of trouble, committed to the 15 Sepr.

Letter from General Arnold, relating to Papers to be furnishd him
his Tryall. A Letter from Govr. Reed, complaining exceedingly of C
gress with Respect to their Ill useage as a State, and neglect shewn t
in a Particular manner, and the Old affair of Genl Arnold Review
very serrious Letter indeed. Motion to Committ it, to the same Comr
tee, who held the Conferrence with the Committee of Council and Ass
bly before.

PM Commercial Committee met by order to consult abt. Purchasi
Cargoe of Goods from France. NB One Invoice 45 & another 60 f
advance.

MS (DLC).

John Jay to William Heath

Sir Philadelphia 28th April 1

Your favors of the 17 Inst were delivered to me two Days ago. The
on the Subject of Money Matters was referred to the Board of Treasu
No Report is yet made—but I shall Do myself the Pleasure of transmit
without Delay whatever Resolutions Congress may enter into respec
it.

The Success of our Frigates occasions general Satisfaction. It is in many Respects an important Event, and will have an Influence on our affairs in Europe as well as America.

I have the Honor to be, Sir, with great Respect, your most obedt Servant,

John Jay.

RC (MHi: Heath Papers).

[1] See *JCC*, 14:513. Heath's two April 17 letters to Jay are in PCC, item 157, fols. 254–62. In the one, Heath had explained his disposition of the hard money that had been at his disposal, especially that placed in his hands by Gen. John Burgoyne for supplies furnished the convention troops.

John Jay to George Washington

Sir, Philadelphia 28th April 1779.

Herewith enclosed is an Act of Congress of the 24th Inst. referring to your Excellency a Petition of Colonels Van Courtlandt and Gansevoort on the Subject of Rank.[1]

I have the Honor to be, with the greatest Respect & Esteem, Your Excellency's most Obedient Servant,

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] For the April 9 petition of Cols. Philip Van Cortlandt and Peter Gansevoort of the second and third New York Continental Battalions concerning their seniority over Col. Lewis Dubois of the fourth New York battalion, see PCC, item 42, 8:39–42; and *JCC*, 13:490, 14:510. See also these *Letters*, 10:511–12. Before Washington made a determination in this case, Jay also forwarded to him a petition from Colonel Dubois of May 12 on the same subject, for which see PCC, item 41, 2:445–46; *JCC*, 14:637; and Jay to Washington, May 25, 1779. For Washington's June 3 recommendations in this case, and Congress' June 5 resolve upholding the claim of Gansevoort and Van Cortlandt over Dubois, see Washington, *Writings* (Fitzpatrick), 15:221–22; and *JCC*, 14:694.

Colonel Van Cortlandt's April 14 letter to Jay in which he enclosed his petition to Congress is in Jacob Judd, ed., *Van Cortlandt Family Papers*, 4 vols. (Tarrytown, N.Y.: Sleepy Hollow Restorations, 1976–81), 2:304–6.

Samuel Adams to Samuel Cooper

My dear Friend Philade April 29. 1779

I have not yet acknowledgd your Favors of the 14th & 15th of March.[1] The Subject of the former is of the last Importance. I have always been of Opinion that America would be in more Danger in the Point of coming to an Accommodation with Great Britain than in any Stage of the War. Unpracticd as we are in the Business of Treaties and perhaps too unsuspecting of the Intrigues of Courts, we may be led into Conventions which may put us into a State of *Insecurity* while we are nominally independent.

The Advice which some Persons would affect to give us not to insist upon too much, should be receivd with the greatest Caution. What do they mean by it, and how far wd they have us extend it? If we had hearkened to such Advice in the Infancy of this Contest, we should have submitted to Britain the Right of taxing us, & humbly supplicated her to suspend the Exercise of it. In doing this we might have prevented the Horrors of War, & have been her *quiet* Slaves. No Terms have yet been proposd by Britain. She possibly may offer them soon, and her proposals probably may be insidious & inadmissible. I do believe she is at this Moment employing her secret Emissaries to find out the Disposition of America & what would be her Ultimatum. Should not the People then speak the Language which becomes them & assure her that after so virtuous & successful a Struggle they are determind to demand enough for the Purpose of securing their own internal & external Happiness. This is the Aim of the Revolution and the Extent of the Wishes of our good & great Ally, who I dare affirm, is invariably determind not to Seperate his Interest from that of America, & to support the Cause of the United States as his own. Our Happiness depends upon Independence. To be prosperous we must have an extensive Trade. This will require a respectable Navy. Our Ships must be mannd, and the Source of Seamen is the Fishery. Among those who ought to see the Importance of the Fishery, I am affraid there are some who think that in insisting upon *that* we should insist upon too much.[2] Nova Scotia & Canada would be a great & permanent Protection to the Fishery. But these, say some, are not Parts of the United States, and what Right should *we* have to claim them? The Cession of those Territories would prevent any Views of Britain to disturb our Peace in future & cut off a Source of corrupt British Influence, which issuing from them, might diffuse Mischiefe and Poison thro the States. Will not then the Possession of Nova Scotia & Canada be necessary, if we mean to make Peace upon *pacifick* Principles? If we are to have no overtures this year, and Providence blesses us with *the Spirit of Enterprize*, Would it not be better for us, provided it be practicable, to wrest those Places from the Hands of the Enemy than trust to the Uncertainty of Treaty? I confess we have a Choice of Difficulties. I pray God we may surmount them all! None however reach the Pinnacle of Eminence & Glory but the virtuous & brave. Adieu my dear Sir. I hope to see & *live* with you shortly; but I shall expect another Letter from you before I leave this Place.[3]

FC (NN: Adams Papers). In the hand of Samuel Adams.

[1] Samuel Cooper's March 14 and 15 letters to Adams are in the Adams Papers, NN.

[2] The Americans' right to catch and cure fish on and off the Newfoundland coast was a sine qua non of any peace treaty ending the war for the New England states, and especially for Massachusetts, although delegates from several states opposed linking the peacemaking process to such demands. Attempts to reach agreement on American claims to the fisheries therefore proved to be elusive, as each preliminary settlement reached in Congress subsequently came under fire in turn from proponents of the previous losing side. For some of the difficulties encountered by the delegates as they groped toward formulating policy on the

fisheries, see Gouverneur Morris' Proposed Resolutions, March 22; North Carolina Delegates to the South Carolina Delegates, April 2; and Henry Laurens' Notes of Debates, May 8, 1779.

[3] Although Adams clearly continued to confide in Cooper, the Boston minister had apparently already broken with Adams. According to the reports of Joseph de Valnais, the French consul in Boston, to Jean Holker in Philadelphia, Cooper was working not only to promote French interests but even to undermine Adams' reputation. As Valnais explained to Holker on June 3, 1779: "le Dr Cooper travaille a aneantir le credit de M S Adams dans cet Etat 554. 552. Il a meme deja reussi a le perdre dans L'esprit de plusieurs personnes de la plus haute consequence, qui meme sont ses meilleurs amis & ses seul Suports." A number of Valnais' letters to Holker, including this one of June 3, which is partially in a code that has been deciphered by Holker, are in the Jean Holker Papers, DLC.

John Fell's Diary

Thursday Apl 29th [1779]

Coml Committee. Congress. The chief of this day spent in consideration on the Subject of Finance, and to Tax largely. P.M. Thunder, Lightening, Hail and Rain. Went to Marine Committee No Members.

MS (DLC).

Frederick Frelinghuysen to the Speaker of the New Jersey Assembly

Trenton, April 29th, 1779.

Sir,

Agreeable to the appointment of the Legislature, I repaired to Philadelphia in the month of January last, and have since that time attended Congress, until the public business entrusted to my care in the county of Somerset rendered my absence unavoidable.[1]

It is needless for me to remind the honorable Legislature, that I did with great reluctance accept of the appointment of a delegate for this state in Congress. I was then sufficiently sensible that the trust was too important for my years and abilities. I am now fully convinced that I should do injustice to my country did I not decline that service.

In doing this, I am conscious to myself that I am actuated merely by motives for the public good, well knowing that whatever may be my abilities, they will be useless to the state in the supreme council of the Nation, and that the other appointments with which the Legislature of New Jersey have been pleased to honor me in the county of Somerset, are more than sufficient to employ my whole attention.

I might add some other circumstances which render my situation there peculiarly disagreeable, but I fear the evils which might arise from my opening myself on this subject, would more than counterbalance any good it it might probably answer. I trust, however, the representatives of New Jersey will not think it impertinent in one who has faithfully endeavored to serve his country, to declare to them that the interests of America loudly call on them for *extraordinary* vigilance.

I shall say nothing respecting the amazing expense of attending Congress, and my inability to support it. I am determined not to complain till the last farthing of my little property is spent in the service of my country; and then, perhaps, I shall have the consolation to see poverty esteemed as the characteristic of an *honest man*.

I conclude with observing, I am particularly moved to wish for a release from the appointment, as it has been hinted to me that my colleague Mr. Fell is exceedingly uneasy that he is so often left alone to manage the weighty affairs of state, and that he has even expressed himself with warmth and temper on the subject in his letters to the Legislature.[1] I shall only say I am ready at all times to give an account of my conduct to those who appointed me.

I trust the Legislature will take into consideration and gratify my request of being excused from the farther attendance at Congress.

I am, sir, your most obedient and humble serv't,

Fredk Frelinghuysen.

MS not found; reprinted from *Selections from the Correspondence of the Executive of New Jersey from 1776 to 1786* (Newark: Newark Daily Advertiser, 1848), pp. 155-56. Addressed: "Hon'ble Caleb Camp, Speaker of the Assembly."

[1] For John Fell's sentiments on the attendance of his fellow delegates, see Fell to William Livingston, March 25, 1779.

Samuel Holten's Diary

[April 29-30, 1779]

29. Thursday. Congress spent part of this day on financing. The thunder & lighting & showers were very heavy.

30. Friday. Congress spent this day debating a motion for recalling Doctr. Lee.

MS (MDaAr).

Henry Laurens' Notes of Debates

Thursday 29th April [1779]

"Resolved therefore that these United States be called upon in addition to the Sum required by Resolution of Congress of the 2nd January last for their respective quotas of   Million of Dollars to be paid into the Continental Treasury before the 1st Jany. next."[1]

Motions were made for filling the blank 1st with fifteen, 2d Eighteen, 3d Thirty. The question to be put on the highest Sum.

I rose & said Sir, the largest Sum is to be put to question first, it is a very large Sum—I perceive I have no Colleague present & I think it necessary to consult my Colleague before I give my voice for taxing my Constituents so heavily as their quota of 30 [Millions] will be. I will not take an advantage of my Colleague by calling for the Yeas & Nays in his absence. I shall therefore move in right of a State for postponing the determination of this question, unless the House will agree to postpone the question more generally.

☞Having seen my Colleague a little time before take his Hat & Cane, I apprehended he had gone home, but it appeared he was only in the Library Room—where he presently informed by J.P.[2] of what had passed—he came in & sat by me. I repeated what I had said—he replyed I leave that matter entirely to you, & shall aquiesce in whatever you determine, you know I dont understand these matters so well as you do—then retired again to the Library. I rose again & addressed the Chair. Sir, I have had some conference with my Colleague on the business before us, he is pleased to do me the honor of leaving the matter wholly to me, & as it is a subject of great importance, & the transaction devolved upon myself, I find it incumbent on me to deliberate & to take time for reflection, more especially when I consider the present circumstances of my Country. I could for these reasons wish the further consideration of this article may be postponed—it is near our time for adjourning, we may fill up the remainder by reading Public Letters & giving away a few Millions under the Reports of the Board of Treasury.

The consideration Postponed, & the House Adjourned.[3]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens, and endorsed by him: "Minutes on the Motion for Taxing the States 15, 18, or 30 Millions Dollars.

"Vide Report of Board of Treasury, Art. No. 4.

"Vide additional Note 19th May within."

Tr (ScHi: Laurens Papers, no. 22). In the hand of James Custer and endorsed by him: "Anecdotes on Mr. Drayton's manners on questions for Taxation. Apr. 29."

[1] The treasury committee report containing the recommendations embodied in this proposed resolve is printed in the journals under the date April 22, 1779, *JCC*, 13:493. In Laurens' copy of these notes of debates, reference to this report is found in the following interlined note that he keyed to the beginning of the entry: "See overleaf the introduction taken from the Treasury Report."

[2] John Penn.

[3] See *JCC*, 14:533. For additional notes on this subject, see Laurens' Notes of Debates, May 19, 1779.

James Lovell to Benjamin Franklin

Sir, Philada. April 29th. 1779

As the Books & Papers of the Comtee. of foreign affairs remain on the Table of Congress to be used in the public Deliberations which still continue upon a fruitful Subject begun last September you do not at this Time receive any official Letter from that Committee. But I will not omit the good opportunity by Mr. Smith,[1] Son of the Commissioner of the Loan Office here, to assure you individually of my Regards. I hope you have long before now received yr Credentials as minister Plenipotentiary from the United States. There was a dissagreable Lentor, in the public Proceedings at first, and in the sending forward yr Testimonials afterwards. From this Source it is, I suppose, that confidential Communications have not been made to you by the french Court, so as to furnish matter for yr Dispatches to Congress; while such have been made to us in another Channel. Sir, it behoves you much to let yr. Constituents hear often from you, lest it shd. be fully credited among us that there is but one Man[2] in the Universe that can be pleasing to the Court of France as a Minister from hence. The Recall of Mr. Deane has given Birth to very singular Writings and Measures. You have escaped all considerable Injuries, tho you have been comprehended in some Propositions not altogether honorary, as you will shortly see by the Journals which are to be printed weekly. I ought, however, now, to give you the Satisfaction of knowing that the Question about yr Recall was only a Kind of necessary Consequence flowing from the Adoption of a Fact on which to found a Principle that might destroy the Commissions of Messrs. Lees & Izard particularly Mr. A Lee's.

In my Opinion the improper triplicate Appointment for the Court of France produced, in very natural Consequence, "Suspicions & Animosities". But these Evils ought not to be made Reasons for depriving the public of the Services of Men whose great Abilities, Integrity & Industry may be exerted in distinct Trusts without the like future Inconveniences.

Disappointed Views have generated an Implacability against the falsely supposed Cause of that Disappointment. Nothing short of the Ruin of the Reputation of Arthur Lee will glut the Malice of a party formed against him by that Spirit of assassinating Innuendo which so eminently governs his Arch Enemy.

I expect to be able in a few days to communicate to you the Decision of Congress in Regard to the other Gentlemen, and some particular Instructions for your own Government. I refer you to the Gazettes for a general State of military Proceedings, and to common Fame for the ill Condition of our Currency.

I am, Sir, your most humble Servt. James Lovell

P.S. Sepr. 17. I have only this day heard of the Capture of Mr. Smith, and I do not find by my Memoranda that I have sent any Copy of what he carried, which I find to be thus minuted at the time of his sailing Apr. 30th.[3]

4plic:	7	Hopkinson
3plic:	8	
my own To J Adams	28	
To A Lee	28	
To Doctr. Franklin	29	
To Jona. Williams	29	
Mr. Jays To Doctr. Franklin		
To Marqs. Fayette		
Pamphlets and Gazettes to the Doctor		

RC (PU: Franklin Papers). Lovell probably copied this letter on September 17, 1779, the day he added the postscript noting that the bearer of the original dispatch had been captured.

[1] Apparently Samuel Smith, son of Thomas Smith, the commissioner of the Continental loan office in Pennsylvania. He was also the beneficiary of the following letter of recommendation, which Lovell wrote this day to an unidentified person in France:

"The bearer Mr Smith being a Gentleman of reputation in this City and known in France, wants not, any influence which my situation can give to procure civilities for him on his arrival there. His own Merit will prove fully Sufficient for that end. But as he has kindly taken charge of some packets for the Minister Plenipotentiary of these United States at Paris I request that he may be freed from the trouble of their convey any further than to the hand of *any Gentleman who is officially connected with the American interest* at or near the Port where his Vessel Shall arrive.

"The Packets are not worth the expence of a Special immediate Courier, though they Should be sent by a faithful hand." PCC, item 79, fol. 250. For Smith's capture and the loss of the letters Lovell listed here, see also Lovell to Arthur Lee, September 22, 1779.

[2] Lovell was probably referring to Silas Deane.

[3] None of the letters listed here by Lovell has been found.

William Carmichael to Thomas Johnson

Sir Philadelphia April 30th, 1779

Lest I should not have an opportunity of seeing My Colleagues before Messrs. Hyde & Howard set off on their return I beg leave to acknowledge the receipt of your Excellencys letter[1] & to express my wishes that these gentlemen could have been sooner dispatched. I hope however when it is consider'd that warrants for 12 millions were unpaid at the Treasury, previous to the application from our State, the delay will not be imputed to us. We shall take care to have a warrant reported for the sums which may be still wanting to compleat the purchases made on acct of the Continent. I take the Liberty to inform your Excellency, that the sooner the flower is collected, the more effectually will the Public be benefitted. We have no late Intelligence from our Commissioners abroad. From other quarters we learned that the greatest preparations are making by the Courts of France & Spain to continue the War. The Enemy imbarked 9 regiments, lately at N. York, but we have not heard of their destination nor that they have sailed.

I have the honor to be, Your Excellencys Most Obliged & most Humble Sert, Wm. Carmichael

RC (MdAA: Red Books).

[1] The Maryland Council had ordered William Hyde and John Eager Howard, on April 21, to Philadelphia to obtain "upwards of 200,000" for the purchase of flour for the army. See *Md. Archives*, 21:358–59, 374–75.

John Fell's Diary

Friday April 30th 1779

Commercial Committee. Congress. Order of the day, on the Report of the Committee on foreign affairs, Motion for Recalling Mr Arther Lee, On which Mr Paca and Mr Drayton moved for a Paper being Read and Enter'd, containing a Conferrence with Mr Gerrard, concerning Mr Lees Conduct at the Court of France & Spain. Objection being made caused long & warm debate, on both sides. I moved for an amendment instead of Recalling Mr Lee, to have his Commission Vacated, debate lasted, till near 5 O Clock.

P M Marine Committee.

MS (DLC).

Henry Laurens' Notes of Debates

[April 30, 1779.]

On the 30th April Mr. Paca observed that Congress had agreed to receive such information respecting our Commissioners as any member might have to offer & had called upon the Members to give in information—that he had in his hand important information respecting the character of the Honorable A Lee Esquire & desired the House to receive it, after much debate the Paper was read and laid on the Table.[1] It was remarked that the consideration of that Paper (Signed Willm. Paca, Willm Hy Drayton) could not take place immediately, because the order of the day was, *"to proceed upon the report of the Committee of 13 on foreign affairs immediately after reading the Journals,"*[2] & that until we had entered upon that business no question but for committing or postponing could be put. That when we had entered upon it, the Gentn. might with propriety call for the reading their information as apposite to the subject. After various opinions had been delivered in tedious debates, it was agreed to proceed upon the Report. The President said "the Question before you Gentn. is whether you will recall Mr. Lee." Mr. Laurens replied, "No Mr. President, the question is, whether the Sieur Gerard shall be requested to give information upon the Motion made on Monday the 26th Inst. by the Honorable Mr. Paca, which had been under debate near two Hours when adjournment was called for & carried, what did we adjourn from?—surely from prosecuting the business then before us to another day, the day is now arrived, we must resume the consideration of that business." The President acquiesed—Remarks were then made on the impropriety of the conduct of the Gentlemen who had now produced information from Mr. Gerard on a certain point, while a question was pending, whether such information should be applied for?

N.B.

Mr. Paca's motion was made on the 26th.[3] the House adjourned that day at 1/2 p. 4 P M. Mr. Gerard went out of Town at 9 oC. A M the 27th.

The information therefore which Mr. Drayton and Mr. Paca had obtained from Mr. Gerard must have been delivered them between 1/2 p 4 Monday afternoon & 9. Tuesday Morning.

The Gentlemen, when they heard Mr. Laurens call for the adjourn'd motion on the 26th Moved for leave to withdraw the said adjourned motion, the House in general consented. Mr. Laurens objected & called for the Yeas & Nays. The President said, as not one whole State objected, the motion might be withdrawn, Mr. Laurens denied the doctrine, he said it could not be determined who objected until the House should be called over, that he had an indubitable right to the Yeas & Nays, which would bring the motion on the Book & that such measures, such extraordinary measures ought to appear to our Constituents. Mr. President made some little objection to the right of Yeas & Nays. Mr. Laurens, who was by no means surprized at the President's leanings, appealed to the Rules, & said nothing less than violence could deprive him of his right & that he trusted there would be no appearance of violence in that House. Mr. Duane rose & delivered a soft intriguing address, talked of leaving Congress, not because such infamous measures had been adopted & pursued respecting the application to the French Minister, but because, such measures were likely to be properly held up to public view. Mr. Laurens said since he saw Gentlemen were distressed, he was inclined to be good natured & would not insist upon the Yeas & Nays. The question was then simply put for leave to *withdraw*; Mr. Drayton's voice was heard in a *Bravado*, No. his sincerity may be determined by his first opinion for *withdrawing* & by the President's declaration that there was not one whole state against it. The Motion was *withdrawn*—a true Copy of it is however preserved, & accompanies this Memoire; Mr. Drayton who has been a very principal actor in these illicit practices with the french Minister.[4]

MS (ScHi: Laurens Papers, no. 31). In the hand of Henry Laurens.

[1] See the following entry.

[2] As resolved on April 28. *JCC*, 14:532.

[3] See Laurens' Notes of Debates, April 26, 1779.

[4] Laurens' notes end abruptly at mid-page.

William Paca and William Henry Drayton to Congress

[April 30, 1779]

The undersigned Members of the Congress of the United States of North-America, have the Honor to inform the said Congress:

That, upon good grounds having been led to believe, that the conduct of Arthur Lee Esqr. late, one of the Commissioners representing these United States at the Court of Versailles, & now, sole Commissioner to represent the said States at the Court of Madrid, was disgustful to those Courts, unconciliatory to their Subjects, & prejudicial to the honor & interest of the said States; they were astonished to hear an assertion made in Congress on the 15th Inst. by an honorable Member from Massachusetts-Bay, as from the highest authority in America, that the said Commissioner is possessed of the confidence of the Court of Versailles;[1] & since, another assertion, by another honorable Member, from the same State, that the said Commissioner is the most proper Person to represent the said States at the Court of Madrid: assertions, which being made in the debates upon foreign affairs, were made to influence Congress to continue the said Arthur Lee Esqr. as the Public Minister of the said United-States to the Court of Madrid, at the expected Negociations for a general pacification under the Mediation of that Court.

That, the undersigned, impressed with a conviction, that in such an important conjuncture, the Minister to represent the said States at the Court of Madrid, ought not to be disagreeable to that Court, nor to the Court of Versailles in faithful Alliance with these States; & that the interest of the said States demanded, that it should be precisely ascertained, whether or not, the said Commissioner was disagreeable to the said Courts; for certain information upon the point, they have, from the necessity of the case, been compelled to apply to the Minister Plenipotentiary of France, residing near Congress, as the highest source of information in America.

That, in consequence of such application, the Minister Plenipotentiary produced to the undersigned, an original letter to him from the Count de Vergennes, Minister for foreign affairs at the Court of Versailles, dated the 29th of October 1778;[2] in which, after having stated the intelligence, which has been communicated to Congress by the Minister Plenipotentiary, in February last; & after having assigned some reasons, for not having communicated that intelligence to the Amercian Commissioners in Paris, the Count de Vergennes concludes in these terms—"Je vous avouerai d'ailleurs que je crains M. Lee et ses entours"—Besides, I confess to you, that I fear Mr. Lee, and those about him.

That, the Minister Plenipotentiary added, that this consideration induced the Court of Versailles, to keep secret from the said Commissioner, the intended sailing of the Count D'Estaing for America, until his Fleet was ready to put to Sea—that the said Commissioner, by his conduct on several occasions, created the highest disgust in the Court of Versailles against him—that the Court of Madrid, in the closest connection with that of Versailles, entertained the same sentiments respecting the said Commissioner, not only on account of his conduct on those occasions, but, because of his imprudent conduct in Spain—and, in a word, the Minister Plenipotentiary expressly declared, that he has every reason to think, that neither of those courts have that confidence in the said Commissioner, which, is necessary to give success to the Negociations of a Foreign Minister.

The undersigned having received such decisive information from the Minister of France, with liberty to communicate it to Congress, think it is their indispensable duty to the United States, & to themselves, to lay the same explicitly before this the Supreme Council of America; to the end, that they may not be misled to continue the said Commissioner as the Representative of these United-States at a Court, in the highest manner disgusted at his conduct, & at which, of consequence, his Negociations must be unsuccessful. But, if, unfortunately, it shall be disregarded, they will have the consolation to reflect, that in giving this information, they discharged their duty to the United-States; & that having given it, they cannot justly be held responsable for the consequences of a measure, but too likely to prove unconciliatory abroad, ruinous to the Public Finances at home, & an impediment to a speedy & honorable Pacification, securing the Independence of the United-States of North-America.[3]

Wm. Paca

Wm. Hy. Drayton

MS (DLC: Peter Force Collection). Written by Paca and signed by Paca and Drayton. Endorsed by Charles Thomson: "No. 38. Information of Mr Paca & Mr W H Drayton respecting Mr Arthr. Lee laid on the table & read April 30th. 1779."

[1] See Henry Laurens' Notes Respecting Gérard's Views, April 21? 1779. See also Thomas Burke's Statement Respecting Gérard's Views, April 16?; and Laurens' Notes of Debates, April 26 and 30, 1779.

[2] See Meng, *Gérard Despatches*, p. 358. Vergennes' letter to Gérard was actually dated October 26, 1778.

[3] For Gérard's May 4 report to Vergennes on the congressional debate over Arthur Lee's removal, see ibid., pp. 615–17. On August 8, 1779, after learning that James Lovell had sent a copy of this Paca-Drayton report to Arthur Lee, Gérard also sent a copy of it to Vergennes. Ibid., pp. 844–45. That document, in Drayton's hand, is in Correspondance politique, États-Unis, Supplement, 1:276–77, Archives du ministère des affaires étrangères.

Marine Committee to the Eastern Navy Board

Gentlemen April 30th 1779

In our letter of the 27th instant which went by Post we directed you to purchase the Prize Ship Jason provided on being Surveyed she was found to be A Suitable for our Navy. Should you purchase her it is our determination that you give the command to John Peck Rathbourne and we will send from this place a Lieutenant to go on board her. The Sloop we some time ago mentioned to be ladeing with flour for the use of your department will Sail this day—the Navy Board will write you respecting her Cargo.

It is necessary to inform you that She has been purchased to carry this Flour—After her arrival you will dispose of her as you shall think will be most conducive to the Public Interest. We are Gentlemen, Your hble servants

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Thomas Burke to Henry Laurens

Sir [April ? 1779][1]

In a letter from a Mr Brakenridge to Mr Drayton,[2] I find my name mentioned as one Reported to have Some Interest in a Commercial Concern with Mr Deane the design and tendency whereof is supposed to be Injurious to the political Interests of America and that the Report Originated from you.[3] This last Circumstance, only, makes it of Consequence enough to engage my attention, for, so far as the public are Concerned in my Transactions, the Evidence relating them is clear and unequivocal, and easily to be found and I am at all times ready to Commit my self thereon to my Immediate Constituents to whom only I hold my self Judicially accountable, And as to my private acquaintance they know me too well to admit such a report to a ready Belief, at least without an Enquiry, for the Result of which I am under no Apprehensions. But while such a Report is Circulated under the Sanction of your Name, it becomes of Serious importance and I feel myself under an Indispensable Necessity of asking you whether You have expressed at any time an opinion, Conjecture or declaration which may have given rise to it? If you have, Sir, I doubt not it was founded on Information which you thought good, or on Some Circumstances which fell under your own observation, and which you thought Sufficient to Justifie the Conclusion—in either case, I must Request you to make known to me that on which the Idea was founded if Such you ever entertained. But if the fact be that you never entertained or expressed Such an Idea I hope you will think a plain declaration thereof a Satisfaction which you ought to give, and which I am Justly entitled to require.

⟨*One or other of the answers I have ask'd for is Necessary to direct my mind in the Investigation and refutation of this Injurious Calumny, for so directly Contrary to Such Connections has the whole tenor of my Life been that I can fix on no Incident which could have given the least color for it, and it is almost incredible to me that you who have long been witness to my public Conduct Should entertain Ideas so very repugnant to its uniform tenor.*⟩[4] I am persuaded you will not decline it—and

I Request your answer with all Convenient dispatch, with due respect, Sir, Your Obed Sev.

FC (Nc-Ar: Burke Papers). In the hand of Thomas Burke and endorsed by him: "Copy of Letter to Mr Lawrens with his answer relative to report Suggested in Lettr from Mr Brakenridge to Mr Drayton."

[1] The dating of this document is conjectural, but it appears to fall within the context of the Arthur Lee recall debate reflecting particularly the efforts of Lee's supporters to discredit the pro-Deane faction by insinuating that its members were influenced by their financial connections with Deane. As former delegate Charles Carroll of Carrollton later observed to William Carmichael in a letter of May 31, 1779, "The faction of the Lees is industriously propagating, as I hear, that their opponents, or most of them, are engaged in mercantile connections with Dean & others." General Manuscripts Collection, NjP. For the debate on the recall of the American commissioners in Europe, which actually came to a focus on Arthur Lee on April 26 and 30 and May 3, 1779, see John Fell's Diary, April 6, 1779, note 2.

[2] Apparently Hugh Henry Brackenridge (1748-1816) and William Henry Drayton.

[3] Burke originally opened this letter with the following sentence before beginning afresh. "I have Seen a letter from a Mr Brakenridge to Mr Drayton wherein A Mr Snowdan is quoted as having given you as the author of Certain Charges against Some Gentlemen of Congress."

[4] This passage is marked "dele" in the margin.

James Duane to Philip Schuyler

My Dear Sir, Philad. 1st May 1779.

You may wish to know the Proceedings on your last Letter respecting your determination to resign.[1] They were concise. The President read your Letter among the other dispatches. I had not then mine from you on the same Subject: nor was I in Congress. Indeed not a member was apprized of it. On reading your Letter a motion was made to comply with your Request: It was seconded and passed without a single Remark or Dissent. Thus you have your wishes. I feel a strong temptation to expostulate with you on this Subject—but what End will it answer? My Views & Expectations which were honourable for yourself and important to my Country are disappointed: and I own, & feel, the Superiority of the Planet which governs you over my feeble Star. Here let it rest. It gives me, however, great Consolation that you can still be highly serviceable to your Country, even with respect to military Operations: and eminently so in the Cabinet: In the military by advice and private Exertions; In Council, by taking your Seat in this House to which you can now have no Objection. To retire to private Life, before the War is terminated, you cannot reconcile to your Reputation, or to your Feelings. It is needless to enlarge on a point so evident; & of which you are so good a Judge!

You know my Opinion of the necessity of appointing Commissioners in our State for managing our Affairs with the Six Nations: and securing Satisfaction for the Injuries we have suffered by their unpro[vo]ked Depredations. No other Way can be devised to awe them into Peace & justice; Than after having convincd them of our Superiority, to insist on a Cession of Territory adequate to the real Injuries they have done to us. This has been the Policy of the Southern States & it has been productive of the most salutary Effects.

But who to appoint to this Trust is a great Question? If it rested with Congress your Delegates woud probably have the Recommendation: If with our Council of Appointment, I can form no Conjecture: being a total Stranger to domestic Politics: It woud, however, be very hard indeed if your Advice in both Cases had not full Weight! Write to me explicitely on this Subject.

I have nothing material to add, nor time to spare, writing this in the Course of a Debate. Present my respectful Compliments to Mrs. Schuyler, the young Ladies, & the whole Circle of our Friends.

Adieu! And believe me to be ever, Dear Sir, Your Affectionate Friend, & most Obed Servant, Jas. Duane

RC (NN: Schuyler Papers).

[1] See John Jay to Washington, April 20, 1779, note 1.

John Fell's Diary

Saturday May 1st. 1779

Commercial Committee. Congress. This day intirely spent in debate, concerning Mr A Lee.[1]

MS (DLC).

[1] According to the journals, Congress did dispatch some routine business before settling into the debate on foreign affairs. *JCC*, 14:537–39.

Gouverneur Morris to Charles Pettit

Sir Philadelphia 1st May 1779

Having considered your Application[1] grounded on the Agents Letters from Charleston in answer I have to observe that as disputes between the publick Servants and the Government of the State they are in, must greatly prejudice the Service, it is my earnest desire that Harmony and a good Understanding may be cultivated between them in Carolina. I have no doubt but the President of that State had good reasons to detain the vessels mentioned in Mr. Livingstons Letters. The Demurrage becomes one of those unavoidable Circumstances which must be submitted to. All the Vessels should sail together about the latter end of this Month or the beginning of the next as shall be most proper. They ought to be ready by the 25th. If more are procured than are sufficient to bring away the Rice already ordered, let them nevertheless be loaded. They must in the first Instance clear out for the Capes of Delaware and there receive further

Instructions, either to come to this City or go to the Eastward. They ought therefore to be charter'd by the Month and the Property insured by the Publick. Having already written on this Subject to the Governor and to the Agent,[2] submitting the latter entirely to the directions he might receive from the former, I am now to desire that you will urge a prompt obedience to the requisitions, and Directions which may be made upon or given to Mr Livingston.

Enclosed you have Letters to the Governor and to the Agent which I pray you to forward.

I am Sir, your most obedt & humle Servt, Gouvr. Morris.

Tr (PPAmP: Nathanael Greene Papers).

[1] An April 24 letter of Charles Pettit, assistant quartermaster general, was read in Congress on April 26. *JCC*, 14:511. It is not in the PCC.

[2] Not found.

Daniel of St. Thomas Jenifer to Charles Carroll, Sr.

Dear Sir, Phila. May 2d. 1779.

Whatever appearances there may have been for peace, this Summer, they are in my Opinion vanished, and we must have another Campaign. On the part of the Enemy no doubt, it will be made as active as possible. Our General I hope & trust will put very little to risque. Had Congress determined with that precision which I think it ought to have done last February, in all probability great part of the expense of the impending Campaign would have been saved, and independency established, without breach of Treaties: What the Contingent issue may be, God only knows? To him only we must depend for our Success & prosperity. I do not mean to charge Congress with Neglect of duty, the bare Majority to whom delay may be attributed, I suppose have Acted for the best, in their opinion, & I wish the issue may prove that they have Acted wisely.

The Congress emissions to this time do not amount to 127 Mill[ion]s of Dollars, & it does not intend at any rate to exceed 160 or 170 M[illon]s, not even so much if there is a possibility to avoid it, the greatest of these Sums may be easily sunk, but in my opinion it ought not to be done too rapidly. Exertion is nevertheless necessary at this time to prevent further depreciation; the great cause of which may be as justly attributed to speculation as to the Sum of Money in circulation. One of these causes we can remove, the other I fear is not within our power. We want virtue—a Melancholy reflection to all those who have the real Interest & happiness of their Country at heart.

The late Captures made by the Continental Frigates will Sell for more Money than the Continental Navy Cost.

The Papers you desired me to get for you are not to be had in Town. I have applyed to a Gentleman who sets out tomorrow for Head quarters to get them for you.

I have sent Mrs. Darnall by Mr Ridout Two small Pots of Dentrifice. Doctr Baker had not any brushes. With my respectful Compliments to her, I am, Dear Sir, Your most Obedt Servt

Daniel of St. Thos Jenifer.

RC (MdHi: Carroll Papers).

Henry Laurens to John Laurens

My Dear Son, Philadelphia 2d May 1779.

I think I writ to you by a late public Messenger under the 27th Ulto. altho my Book gives no proof of it.[1]

Mr. Gerard & Don Juan are on a visit at Middlebrook,[2] my worthy friend the former Gentleman, has been ensnared by certain Men, into such Acts & concurrences as will hereafter appear blots in his administration—I am exceedingly greived by such conduct. You know I mention such things in perfect confidence to yourself & Mr. Gervais.

General Washington writes that the Enemy had made a descent upon the Jerseys with a view of surprizing some of our outposts & of plundering; in the former they failed & upon the whole had made a poor adventure. North River remains yet unprovided with Cannon, how shall I account for the quietness of the New York Delegates on this occasion? Is not North River the Door leading to those parts of that State which the Enemy are not yet possessed of & will not the complete possession of those parts give them the whole of the State of Rhode Island & endanger Connecticut? What said Hamlet?

I do not like appearances—a Great Man in a late conversation which he had obtruded on me very improperly & which it did not become me to understand, & so I intimated to him, dropped a menace which shocked me—"we have had & may yet obtain better terms from Great Britain." "Therefore you should be moderate in your demands"—& now the strife is for turning out an *honest faithful* Servant, merely for being possessed of those bad qualities of honesty & fidelity & to put in a supple Jack. We want Men of Spirit & inflexible honesty here. Some very honest worthy Men we have, but they are not of the temper which is necessary for stemming a torrent of cunning artful misrepresentations. I act such a part as tends in some degree to disappoint or procrastinate evil purposes, to mortify the schemers, without exposing my conduct to any thing more than their teeth outward censure. They see & are convinced that I am of no set-party, & that I have no projects in view for aggrandizing or benefiting myself. I speak plain truth & feel no inclination to deviate to the right or to the left for the purpose of gaining applause from any Man or set of Men—one set are now convinced that I am neither to be wheedled nor frighted into their measures & yet I vote with them as often as they appear to be right.

Pray excuse me to His Excellency the Governor for not writing by this opportunity, I have no proper subject at this moment—the Lieut. Governor's Letters of the 3d & 5th were committed to Mr. Lee, Mr. Burke & Mr. Laurens,[3] we have written to General Washington on Carolina business & hope to hear from him this day—we shall hasten a Report & nothing in my power will be omitted for the service & Interest of my Country, I most earnestly wish she had here a servant more adequate to the Duty. Don't suffer me to be borne down by the insinuations & malicious intimations of a Man as wicked & as designing as human nature is capable of.

Present me very particularly to my Dear friends Mr. & Mrs. Manigault.

I pray God to bless & protect you. Henry Laurens

[*P.S.*] Mr. Gervais will shew you News Papers.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] The latest extant letter from Laurens to John is dated April 18.

[2] The visit of Conrad Alexandre Gérard and Juan de Miralles to Washington's headquarters, April 27 to May 3, 1779, was recounted at length by each gentleman in letters to their superiors immediately after they returned to Philadelphia. See Gérard to the comte de Vergennes, May 4, 1779, Meng, *Gérard Despatches*, pp. 621-22; and Miralles to Diego José Navarro, May 4, 1779, Papeles Procedentes de Cuba, Legajo 1281, Archivo General de Indias, Seville.

[3] See Committee of Congress to Washington, April 28, note 1; and South Carolina Delegates to John Rutledge, May 7, 1779.

William Carmichael's Statement

Philadelphia May 3rd. 1779

The Committee appointed by Congress to examine into the State of their Foreighn affairs having thought proper to refer to the underwritten for information on the charges they reported against some of the Public serts. abroad, and Some Gentlemen having expressed a desire he should reduce to writing the information he gave the House in his place, when these charges were read. He is induced to indulge their wishes as well as to show more explicitly the reasons which determined his voice on the decision of a question on which he thinks the honor and interest of the United States highly depends.[1]

He has frequently declared that Mr. A. Lee had not the confidence of the court of France, His reasons for this declaration are among others, that he was repeatedly told this by Messrs. De Beaumarchais, Ray de Chaumont, the Chevalier Grand and his Brother Mr. Grand,[2] Gentlemen who all at various times acted as secret agents between the Commissioners and the court of France, in whose assertions he placed confidence, because he saw that the Court intrusted them with secrets of the highest importance, and because he never found Himself deceived by these Gentlemen in any other information he had the honor to receive from them, while imployed by the Commissioners abroad. He was informed & beleives, that this want of Confidence arose from information given by Mr. Garnier Chargé des Affaires for the court of Versailles at London, That Ld. Shelburne and Mr. A. Lee left London in concert to visit France immediately after the arrival of Mr. Deane in that Country. He believes that the Court was confirmed in these suspicions by Mr Lees visits to Ld. Shelburne while at Paris, and he knows that several of high rank were alarmed and apprehensive that the secrets of the court would be betrayed from this Connection with the opposition in England, as will appear from the following extract of instructions given by the Ct. D'Estaing to Mr Deane at the very time Ld. Shelburne was at Paris. A copy of the instructions is in the hands of the Underwritten transcrib'd from the Original by Colonel Nicholas Rogers of Maryland & Himself when he received a Message from the Ct. Estaing desiring Him to return it.

"L'unité secrette des enterets qui existe entre la France, l'Espagne et les Americains etant plus grande plus durable plus necessaire que celle qui attache les Anglais de l'opposition au sort de l'Amerique, il en resulte que Monsr Deane doit avoir plus de confiance dans ces deux puissances que dans des particuliers qui ne veulent uniquement que chasser des Ministres pour remplacer. Il semble aussi que sa confiance dans les membres de l'opposition ne doit pas aller jusq'a leur dire tout ce que la France et L Espagne font ou promettent de faire; L'esperance de causer une revolution dans le ministre anglais sufferait peutetre pour en rendre la publication aussi avantageux au part de l'opposition qu'elle serait nuisible a l'Amerique: rien est plus à redoutter que de voir la bonne volonté se changer en mefiance, car en negotiation la mefiance eloigne ceux que l'interet raproche. Il semble aussi qu'il faut soigneusement eviter de compromettre, d'embarasser une grande puissance sur des petits objets et cela dans le temps qu'on en espere des grands services: C'est encore sur ce point important que les veritables interets de l'amerique different de ceux du parti de l'opposition.["] This suspicion was farther confirmed by Mr Lees connection with Ct. De Lauregais of whom Ct. De'Estaing speaks in the following manner in the peice above mentioned "Excepté son intime Liason avec Monsr Le Compte De Lauregais, et que l'amitie de ce dernier pour my Lor Shelburne dont l'addresse et les projets sont connus pourrait faire transpirer ce que le Ministre de France voudrait que fut ignoré, sans que cet accident arrivat par la Faute ni par le canal des charge des Affaires de l'Amerique." Mr. Lee Himself was so sensible of this suspicion, that he wrote to Monsr. Le Compte de Vergennes or Monsr Girard on the Subject, which letter was carried by the underwritten to the Bureau for foreighn Affairs at Versailles, & Mr Lee received an answer, a copy of which no doubt he transmitted to some one of his correspondents on this side of the Atlantic. Ld. Shelburne is particularly disagreable to the Bourbon courts, because he formed the desighn of exciting a revolt in Mexico & for this purpose pensioned a French Nobleman, a Major general in the service of France, who had offerd his aid to effect this, from his acquaintance with the principal Inhabitants of that part of the New World and the underwritten was informed that the Ct. D'Estaing alluded to this project in the above extract. The honorable notice taken of the Underwritten in consequence of the Strong recommendations of the Marquis de la Fayette to his Family & their connections gave him an opportunity of knowing the Sentiments of many persons of high rank & influence & theirs corresponded intirely with what has been before related. The consideration which the Underwritten injoyed from their Notice will appear by the letter annexed,[3] which he would have blushed to place on the files of Congress had they not been already loaded with gross misrepresentation of his conduct & as he hopes unmerited Abuse.

The same Gentlemen and others informed Him that Mr. Lee was equally disagreable to the Ct. D'Aranda, & he knows that the Spanish Minister at the Hague expressed his Chagrin on hearing that Mr Lee was appointed Commissioner to Spain in the Place of Dr. Franklin. Ct. D'Aranda declared that Mr Lees intended visit to Madrid was known to most of the Bankers there, before he quitted the French Dominions, & that this notoriety occasioned the English Ambassador to expostulate with the Spanish Ministry which induced the necessity of sending a Gentleman to meet Him at Burgos. It was well known in England that Mr Lee was gone to Spain, as will appear by the following extract of a letter from Edward Bancroft to the underwritten dated London March 4th 1777

"Mr Sayre is now out of Confinement & desirous of some kind of imployment out of England, probably he will pay our friends a visit. He regrets that Prince Arthur has left France. Ld. Shelburne told Ld. Cambden that he was sent to Spain on acct. of his connection with him Ld. Shelburne."

The animosities among the Commissioners are so publicly known that the Underwritten deems it unnecessary to inlarge on the Subject. He cannot however omit observing that Jealousies & suspicions took place before Mr Lees appointment between that Gentleman & Mr Deane as will appear from a Letter of the Former to the underwritten dated Octobr 1776 a copy of which is in the Possession of the house being put into the hands of the Committee to Whom were referrd the Letters of Messrs Lee, Franklin, Deane & Izard respecting the Underwritten. He begs leave to produce an extract of a letter in answer to Mr Lee, in which he endeavord to remove his Jealousies & He appeals to Mr Deane, if he did not write to him about the same time, to remove the cause by writing frequently to Mr Lee. The extract is as follows from a Letter written from Amsterdam dated Nov. 1st 1776. ["]Believe me My Dr. Sir that any thing which is likely to hurt the common cause gives me as well as yourself much uneasiness. I know no other reason for Mr D——s silence than the busy life he leads or that he trusted while I resided with him he could by my means answer with greater security to you your Letters. I believe no difference subsists between him and your Brothers in America, what has happen'd since I left Paris, I am ignorant of" &c &c.

The underwritten thought those Jeaulousies & animosities Disgracefull, because they impeded the transaction of Public Business & because they were so public as to be known to almost Every Frenchman & American who visited either of the Commissioners. Injurious, because being known to your Enemies if Doctor Berkenhout is to be credited, they prevented an application to your Commissioners to bring about a reconciliation, untill Mr A. Lee could inform Him that this difference would not render an application inneffectual, or to that purpose Injurious in another way, because Our Enemies were incouraged to prosecute the War on a supposition that these Jealousies & animosities would render our Negotiation at the French Court unsuccessfull. This will appear from the following Extract of a letter from Matthew Ridley to the underwritten dated London Novr. 18th 1777.

"It has already been held out *here* that your Councils are weak, that dissention prevails among you, that Congress in their appointment of Men of such Jarring tempers have discovered a great want of Judgement & that this circumstance must in time without other Assistance effectually ruin your plans. This is held out without real knowledge or information to spirit the people here in prosecuting the War. In some measure it has its Effect. If so in this State of it, how much more so when they think they have real foundation." The underwritten is sorry to repeat what abundant Evidence in the possession of the house has already told them of the unconciliatory disposition of Mr Lee, tis sufficient to know that he has disgusted the French Court, his Colleagues Messrs. Franklin & Deane, Messrs. Chaumont, Beaumarchais, Holker & the two Grands, all men in Confidence of the Court, besides Bancroft, Moylan, Ross, Williams, Jones, Nicholson[4] & many others whom it is needless to mention. The underwritten would be still more sorry to record little anecdotes which would disgrace your files, the Persons of whom they are related, & even the Relater. If however any Gentlemen are *interested* or desirous of farther Information, He assures them on his honor that he will give them in private every satisfaction which such curiosity merits. The originals of the copies produced may be seen by any gentleman who chuses to apply to the underwritten.

The late Debates in Congress on the subject of conversations with the Minister might excuse the underwritten from Commenting on the attempt made to misrepresent his sentiments while abroad. He cannot help observing however that it must appear very Extraordinary that he should say to men whom he scarce knew & saw but seldom, what several of the Gentlemen who were his Friends & Constant Companions at Nantes cannot recollect, altho one of them lived in the house with him for some time. He will content himself with submitting Copies of their letters to Him on the Subject of the extracts & copies of a Letter he received by Thornton from Mr A. Lee with the answer he returned by the Same Person[5] who staid but two days at Nantes & leave the Candid to Judge whether he could in the temper of mind, he then was, speak in the manner he is represented to have done.

Wm. Carmichael

MS (MH-H: Sparks Manuscripts). In the hand of William Carmichael. Endorsed: "(Duplicate)." Tr (MH-H: bMS Am 811.5). MS damaged; missing words supplied from Tr.

[1] Carmichael submitted this statement to Congress in the course of a debate on the issue of Arthur Lee's recall. Charles Thomson's journal entry recording the submission of this document essentially paraphrases Carmichael's opening paragraph. *JCC*, 14:542.

[2] Caron de Beaumarchais, Jacques Donatien Leray de Chaumont, Ferdinand Grand, and George Grand.

[3] It is not clear to what Carmichael is here referring. The only documents submitted with this statement that have been positively identified are letters to him by Henry Newman of April 9 and by Samuel Nicholson of May 2, 1779, which are in the Lee Papers, MH-H. The latter is a copy in Carmichael's hand; both bear Charles Thomson's endorsement: "Inclosed in Mr Carmichaels information delivered in May 3. 1779." They are printed in Deane, *Papers* (NYHS Colls.), 21:446–48.

[4] Edward Bancroft, James Moylan, John Ross, Jonathan Williams, and Capts. John Paul Jones and Samuel Nicholson. Moylan and Ross were the commercial agents at L'Orient and Nantes, respectively.

[5] See note 3 above. For another document concerning Lee that was submitted during this day's debate, which described him as "une espèce de fol [a sort of madman]," see also James Lovell to James Warren, August 13, 1779, note 2.

John Fell's Diary

Monday May 3d [1779].

Commercial Committee. Congress. The Business of this day intirely taken up till 5 o Clock, on the Question of Recalling Mr A. Lee,[1] 4 Yeas 4 Noes 4 States Divided. (Dined wth President Reed). NB. For his Recall 22 Yeas. Nays 14. R. H. Lee Excused. Mr. Plater absent & Mr McKean.

MS (DLC).

[1] According to the journals, Congress dispatched a considerable amount of business before returning to the debate on Arthur Lee's recall. *JCC*, 14:539–42.

Richard Henry Lee to Thomas Jefferson

Dear Sir, Philadelphia May the 3d. 1779

Always attentive to your commands, I have obtained here, and now inclose you the song and the receipt you desired. I once had both of them at home, but they are mislaid among a mass of papers, so that I could find neither previous to my leaving Chantilly, or your request would then have been complied with. I hope you have received the pamphlet I sent you some weeks ago entitled "Observations on the American revolution" containing a collection of the most material congress papers with a few remarks interspersed, in order to shew in one comprehensive view the progress of our glorious revolution, and to rectify some false representations of the British Commissioners.[1] This pamphlet was sent by an Express that came here from Mr. Harvey, and returned to Williamsburg, with intention to follow Mr. Harvey to Albemarle if he found him not at the former of these places. I wish it were in my power to entertain you with news, but we are here as void of that as if profound peace reigned thro'out the world. We have not heared from Europe for four months, and altho there then seemed a disposition in many Powers to restore the general tranquility, yet all were industriously preparing for war, and some being actually engaged, the fate of millions hung in doubtful ballance.

The armies here continue quiet within their quarters. That of the enemy by their late embarkation of nine regiments, rendered too weak for taking the field, must content itself with holding N. York as the Gibralter of N. America. If we can baffle the Southern invasion, it is clear to me that the game will be presently up with our enemies, and that they will be compelled by inevitable necessity to be content with the loss of thirteen flourishing states. A very fit consequence of the foolish and wicked attempt to reduce to slavery so many free, useful, and affectionate friends. I hope that when you and my other friends consider all things, that you will not blame me for sending my resignation to the Assembly[2]. I am realy injured in my health by such continued, close application; and a long neglected numerous family demands some attention. Add to these, that persecuted as I have been by the united voice of toryism, peculation, faction, envy, malice, and all uncharitableness, nothing but the certain prospect of doing essential service to my country can compensate for the injuries I receive. It would content me indeed to sacrifice every consideration to the public good that would result from such persons as yourself, Mr. Wythe, Mr. Mason and some others being in Congress. I would with persevering ardor press thro every difficulty in conjunction with such Associates. I am informed that Colo. Blackburn intends to propose a bill this Session for the relief of Landlords. I should suppose that the wisdom and justice of the Legislature can and will devise some remedy for the relief of this class of people among us. I am one, who have the misfortune to see myself and family nearly ruined by the retrospective effect of our law. Almost the whole of my landed estate was rented out some years before this war for low cash rents, and under the faith of existing law which secured me Specie for my rents. The vast sums of paper money that have been issued (& this being now a tender for the discharge of rents growing from old contracts) and the consequent depreciation, has well nigh effected an entire transfer of my estate to my Tenants. This year Sir, the rents of 4000 acres of fine Land will not buy me 20 barrels of Corn! I am very far from desiring that the law should place these contracts litterally as they were, but substantially so, it is [&? s]eems just that they should be. When the Tenant agreed to pay me 6. for an hund. acres rent he could not sell his Tobo. for more than 16 or 18 shillings an hundred. Now he sells his Tobo. for £10 and 12 per Cent. It does not appear to me that the public good can be concerned in thus transfering the property of Landlords to their

Tenants. But public justice demands that the true meaning, and genuine spirit of contracts should be complied with. It appears to me that an Act of Commutation might set this business right by directing the payment in produce at the prevailing price of such produce when the Contracts were made, leaving this to be settled by the Courts annually as they formerly did in the case of exchange. I well know your love of justice to be such that your approbation will be given to any proper plan for doing right in the premisses. For my own part, I am willing to suffer every thing rather than injure the public cause, but in the present state of things I can see no possibility of public injury from thus rendering private justice. I am with much esteem and regard dear Sir your most obedient and very humble Servant,

Richard Henry Lee

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 2:262-63.

[1] That is, Gouverneur Morris' *Observations on the American Revolution* (Philadelphia: Styner and Cist, 1779), which was intended to explain the proceedings and posture of Congress toward the Carlisle Commissioners the previous year.

[2] See Richard Henry Lee to the Speaker of the Virginia House of Delegates, May 4, 1779.

Rhode Island Delegates to Congress

Philadelphia May 3d. 1779

Sirs,

The Undersigned Delegates of the State of Rhode-Island and Providence Plantations with great reluctance adopt this mode of soliciting the attention of Congress to a motion made by them so long ago as the 14th of the last month, at the special instance and direction of said State;[1] but the duty they owe to it, and the justice they owe to their own reputations constrain them to persue every decent measure to accomplish the wishes of their constituents.

Finding every avenue to the motion referred to barricaded by reports of the boards of treasury and war, and orders of the day, which their utmost efforts have not been able to remove—that if they must wait for its decision untill the reports of those boards and orders of the day already made and received, and others which are constantly increasing the Pile shall be decided, they may wait until the intire destruction of their State shall have rendered all application to congress, in its behalf, altogether unnecessary—Finding too that it is out of their power to demonstrate to their constituents the assiduity they have used to procure a speedy determination of said motion, the house having voted it to be disorderly to connect with motions for postponing the reasons there for, the Undersigned are compelled to this mode of Application, which they have observed hath generally proved successfull.

The Undersigned forbear to take notice of the uncommon obstructions which have been thrown in the way of the request of the State which they have the honour to represent, whenever it hath had the good fortune to come under the Consideration of Congress.[2]

The Undersigned trust that Congress will never give to any one of the United States just occasion to tax them with partiality, sincerely wish that their Union may be perpetual, and are with the greatest Respect, Yr Excellency's most obedt. humble Servts. William Ellery

John Collins

RC (DNA: PCC, item 78). Written by Ellery, and signed by Ellery and Collins.

[1] For the background of the Rhode Island delegates' effort to secure Continental support for 1,500 additional troops in Rhode Island, see Rhode Island Delegates to William Greene, April 13, 1779.

[2] The Rhode Island delegates' bold ploy proved successful. The following day Congress adopted their proposal for raising a brigade of 1,500 men in Rhode Island at Continental expense. See *JCC*, 14:539-40, 546-48; and Rhode Island Delegates to William Greene, May 4, 1779.

Thomas Burke to Timothy Matlack

Sir State House May 4th 1779

A paper purporting, Instructions from the honorable President and Council of the State of Pennsylvania, to their Delegates in Congress, Stating Some supposed Grievances in their Line of Officers in the army of the United States, was referred to a Committee, of which the Chief Justice of Pennsylvania was a member. Upon his declining, or discontinuing his attendance in Congress some time past, the papers which were in his possession, have been mislaid; and among them that above referred to, we have for some time delayed reporting in hope of recovering the papers, that hope is now entirely lost,[1] and I am under the Necessity of applying to you for a Copy of the Essential paper here described. I request you Sir to transmit me a Copy as soon as Convenient.[2]

I am Sir with due respect, your Obt Servant Tho Burke

RC (PHC: Roberts Collection).

[1] Thomas McKean, Samuel Atlee, and Burke had been appointed on December 29, 1778, "to enquire into the state of the Pennsylvania troops, and report whether an additional brigadier is wanting for the troops of that State." *JCC*, 12:1260. Because of the demands of his judicial duties, Chief Justice McKean had attended Congress irregularly. His votes in January and February indicate active participation in congressional affairs, but he appears to have been absent from Congress from approximately February 25 to June 10, other than for his surprise appearance on April 22 to vote against the recall of Benjamin Franklin from Paris. McKean apparently resigned his place on the committee sometime in February, but not until he had become involved in its deliberations. See *JCC*, 13:248-49, 14:499-500, 718.

In January, meanwhile, Joseph Reed and the Pennsylvania Council renewed the long-standing dispute over the rank and seniority of the Pennsylvania officers in the Continental line. In a letter of the 20th to the Pennsylvania delegates, Reed accused Congress of favoring officers of other states and acting "arbitrarily in cases of promotion," especially in its preferential treatment of Benedict Arnold over John Armstrong, Sr., and Arthur St. Clair. In an accompanying set of resolutions entitled "State of the General Officers of Pennsylvania," the council further addressed itself to the cases of Anthony Wayne, Robert Magaw, William Irvine, and Edward Hand and instructed their delegates to support Pennsylvania's interest with their "whole weight and influence" whenever debate over new brigadiers for the Con tinental line should arise. See PCC, item 69, 1:571–78; and *Pa. Archives*, 1st ser. 7:162–63. It was undoubtedly this set of five resolutions to which Burke referred when he asked Matlack for a copy of the "Instructions" sent to the Pennsylvania delegates. When Reed's letter was introduced on January 26, Congress ordered that it be referred to the committee appointed December 29 and added three new members—William Paca, Jesse Root, and John Henry. When the committee finally reported to Congress on May 11, it directly rebutted the lengthy charges raised by Reed and the Pennsylvania Council in January; it also nominated Col. William Irvine to be the new brigadier general for the state of Pennsylvania. He was formally elected the next day. See *JCC*, 13:117, 574, 578, 580. For the first portion of the committee's report and recommendations, in the hand of Thomas Burke, see PCC, item 20, 2:51a–54a. The second half, also in Burke's hand, is in PCC, item 21, fols. 151–53. Both are printed in *JCC*, 13:575–78.

[2] Upon receiving Burke's letter this day, Matlack apparently replied immediately, perhaps suggesting that Burke inquire whether other members of the committee or of Congress had the requested documents in their possession. In any event a second letter from Burke to Matlack of this date reads as follows:

"There was a letter from the honorable the President of the State of Pennsylvania on behalf of the Council address'd to the Delegates, and inclosing Some resolves of that Honorable Body relative to the officers of the Pennsylvania Line. The Letter stated Several things which the Council supposed to be Greveances to the Troops of Pennsylvania the Delegates laid it before Congress and it was referred As I before mentioned. I have frequently applied to the Gentlemen you mention, but they assure me they have not Copies, and they have referred me to you. A Copy is Necessary to be returned with the report and it is delayed only Until we can obtain one. I hope you will be able to Supply me with one, and enable me to report tomorrow." Gratz Collection, PHi.

Matlack apparently complied, for there is a second copy of the Pennsylvania Council resolutions in his hand in PCC with an added paragraph recommending Samuel Atlee's promotion to brigadier general. See PCC, item 69, 1:579–82.

John Fell's Diary

Tuesday May 4th. 1779.

Commercil Committee. Congress. Letter from the King of France, sent per Mr Jarrard acquainting Congress with the Birth of a Princess. A Committee of one Member from Each State appointed to wait on the Minister in consequence, and a Committee of three to write a Letter to the King in answer. A Number of Letters and Memorials. Read. The request from Rhode Island to Raise Men for One Year, granted. P.M. Marine Committee.

MS (DLC).

Samuel Holten's Diary

[May 4, 1779]

4. Tuesday. I wrote to the honl. D. Hopkins, Mr. Warner, Mr. Kittell & Mrs. Holten (No. 54). Congress recd. a letter from the King of France, informing of the birth of a Princess. The weather is warm.

MS (MDaAr).

[1] None of these letters has been found.

John Jay to John Beatty

Sir, Philadelphia 4th May 1779.

Herewith enclosed is a Letter from Colonel M. Swoope of the 26th Ulto. & a copy of an order of the same day referring it to you.[1]

I am Sir, your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] The letter of Michael Swope, a paroled colonel of Pennsylvania militia captured at Fort Washington in November 1776, is not in PCC, but Beatty's May 10 response to Jay indicates that Swope had appealed for reimbursement for supplies furnished to him by friends while he had been in captivity. The reply of commissary Beatty, who recommended against Swope's claim, was referred to the Board of War on May 18, but there is no further mention of the case in the journals. See PCC, item 78, 3:313-16; *JCC*, 14:510, 606-7; and Washington, *Writings* (Fitzpatrick), 6:285n, 15:412-14.

John Jay to Conrad Alexandre Gérard

Sir, Philadelphia 4th May 79.

His most Christian Majesty having been pleased to announce to Congress the birth of a Princess of France[1], I am directed in conjunction with a Member from each State to present you their congratulations on that happy Event and to assure You of the pleasure which the United States derive from every circumstance which adds to the happiness of their great & good Ally.

We shall therefore do ourselves the Honor of waiting upon you in the Morning at Ten oClock if that hour be convenient.[2]

I have the Honor to be Sir, with great Respect & Esteem, your most Obedt. & Hbl Servt.

LB (DNA: PCC, item 14).

[1] Congress learned of the birth of the French princess when Gérard this day delivered an official announcement of the event, dated December 19, 1778, and signed by Louis XVI and the comte de Vergennes, which is in PCC Miscellaneous Papers, reel 5, fols. 341-42.

[2] Congress' response to this announcement was doubtless prompted by Gérard, who apparently delivered with it a note explaining the response to birth and marriage announcements customarily observed in Holland by the States General. See *JCC*, 14:43-44; PCC, item 111, fol. 90; and Wharton, *Diplomatic Correspondence*, 3:156. For Gérard's May 8 report to Vergennes on Congress' response to the announcement, see Meng, *Gérard Despatches*, p. 632.

John Jay to William Heath

Sir, Philadelphia 4th May 1779.

From the enclosed Copy of an Act of Congress of the 1st Inst, you will perceive that the reasonable Expences of your Table during your separate Command at Boston will be discharged by the public.[1]

I have the Honor to be Sir, Your most Obedient, And Humble Servant,

J.J.

LB (DNA: PCC, item 14).

[1] *JCC*, 14:537. In a March 22 letter to Jay, Heath had sought clarification of his table allowance, as he had just been informed by Auditor General John Gibson that he could not collect it after General Gates' arrival in Boston because major generals were eligible for the allowance only when they "act in a separate department." PCC, item 157, fols. 246–50.

John Jay to Joseph Reed

Philadelphia 4th May 1779.

Sir,

I have the honor of transmitting to your Excellency the enclosed Copy of an Act of Congress of the 3rd Inst, for the defence of the Posts at Fort Mifflin, & Billings-port[1]—And am, with great Respect, Your Excellency's, Most Obedt. Servant

LB (DNA: PCC, item 14).

[1] *JCC*, 14:541. This resolve was adopted by Congress in response to the Pennsylvania delegates' report, "respecting the defences of the river Delaware," which had been prompted by General Washington's decision to reassign Col. Thomas Proctor's troops garrisoning these posts. For the Pennsylvania Council's decision to replace Proctor's troops with "Two Companies of Militia Artillery," see *Pa. Council Minutes*, 11:766.

John Jay to George Washington

Philadelphia 4th May. 1779.

Sir,

The enclosed Act of Congress of the 1st Inst, authorizes your Excellency to call upon Massachusetts-Bay for the Continental Cannon lent to that State.[1]

I am directed to inform you that if you want Specie for secret Service, you may draw for any Sum, or Sums to the amount of two thousand Guineas upon the treasurer who will pay the same.[2]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient Servant, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] In an April 28 letter to Congress, Washington had explained that there were a number of cannon in Massachusetts belonging to the Continental Army that were needed by Gen. Alexander McDougall to strengthen posts on the Hudson River. See *JCC*, 14:537–39; PCC, item 152, 7:275–79; and Washington, *Writings* (Fitzpatrick), 14:461.

[2] This authorization had been approved by Congress on April 27. *JCC*, 14:526.

Henry Laurens to John Laurens

My Dear son. Philadelphia 4th May 1779.

Although I had the pleasure of saluting you but two days ago I cannot suffer this conveyance by Doctor Read to pass without a repetition.

Mr. Gervais will shew you the News Paper of the day.

The Enemy lately landed in New Jersey about 800 in Number & took a very transient possession [of] Shrewsberry where they plundered some trifles & were driven off again by a very few Continentals & Militia, they left three of their dead on the ground & from their taking Sheets & all the Rags they could collect in their retreat 'tis supposed they carried with them many wounded—one of the farmers reported that he had seen fifteen—our party had ten Men killed.

I gained another victory yesterday by the fairest means against the most foul & disgraceful attempts.[1] I pray God in whom I trust & rejoice to bless & protect you. Henry Laurens

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] Doubtless a reference to the May 3 tie vote in Congress that prevented adoption of a motion for the recall of Arthur Lee.

Richard Henry Lee to the Virginia House of Delegates

Sir, Philadelphia May the 4th 1779

A long, laborious, and almost unremitting attendance on public business by which I find my health decaying, renders some repose necessary, and compels me humbly to request that the honorable house of Delegates will accept the resignation of my appointment as a Member of Congress, and choose another gentleman to take my place in that Assembly.[1] Altho I am happy in seeing the independency of my country so well secured, yet, until it shall be perfectly established, I do not desire totally to withdraw from the public service, relaxation is all my wish; that so I may be enabled to engage again with renewed vigor of mind and body, in any manner that the voice of my country shall please to direct.

I have the honor to be Sir your most obedient and very humble servant,

Richard Henry Lee

RC (Vi: Executive Communications). Addressed: "Honorable Speaker of the Honorable House of Delegates at Williamsburg in Virginia."

[1] Since Richard Henry had informed his brother Arthur in February that he planned to resign his seat in April, it appears that he delayed doing so until the recall vote on Arthur had been taken, which in fact occurred on May 3. The issue having been decided, he apparently felt he could now withdraw from Congress, although the delegates had not yet voted on the recall of his brother William. He doubtless knew his presence on such a vote would be of little consequence for he had "excused" himself on the vote concerning Arthur

and would probably have done so again had the recall motion on William come to a vote before he returned to Virginia. In any event, the other three Virginia delegates in attendance were voting solidly against the Lees on this issue. Although he sent his resignation to the Virginia assembly this day, he did not request leave of absence from Congress until May 24. He departed Philadelphia for Virginia the following day. See Richard Henry Lee to Arthur Lee, February 11 and May 23, 1779; and *JCC*, 14:542–43, 643, 703–4.

With the receipt of Lee's resignation on May 15, the Virginia House of Delegates faced the prospect of an unprecedented turnover in the state's congressional delegation, for only the previous week the house had had under consideration the recent resignations of three of Lee's colleagues: Thomas Adams, Francis Lightfoot Lee, and Thomas Nelson. In consequence, a move was quickly on foot to revise Virginia's legislation on the election of delegates to Congress, and the revision was embodied in an act adopted on June 11. When the annual election of delegates to Congress took place on June 17–18, a special election simultaneously resulted in the naming of William Fitzhugh, Gabriel Jones, James Mercer, and Edmund Randolph to represent the state "until the first Monday in November next, in the room of Francis Lightfoot Lee, Thomas Nelson, jun., Thomas Adams, and Richard Henry Lee, Esquires, who have resigned." *Journal of the House of Delegates of the Commonwealth of Virginia; Begun . . . on Monday, the Third Day of May [1779]* (Richmond: Printed by Thomas W. White, 1827), pp. 3–4, 9, 13, 20–22, 42, 51, 54–55; and William W. Hening, *The Statutes at Large; Being a Collection of All the Laws of Virginia*, 13 vols. (Richmond: J. & G. Cochran, 1809–23), 10:74–75.

Marine Committee to the Eastern Navy Board

May 4th 1779

Gentlemen

In our letter to you of the 27th ultimo we requested your Exertions in preparing for Sea with All possible expedition all the Continental Vessels of war under your direction, together with the Prize Ship Jason and Schooner Hibernia if they were purchased on public Account. We come now to communicate to you our plan for the employment of those Vessels the execution of which we deem highly important to the United States & we doubt not on your part but every measure within your power will be taken that may tend to hasten the speedy accomplishment of it. It is our desire that the Confederacy, the Warren, the Queen of France, the Ranger, the Jason, the General Gates and Sloop Providence shall be joined together and Sail in Company to the Southward (and we shall take measures that the Frigate Deane shall join them afterwards) and there attack the enemys sea force on the Coast of Georgia, which from the Accounts we have of that force may be easily subdued by ours collected, which will procure honor and advantage to the United States and much Interest to the Captors. To effect this valuable purpose great expedition and equal secrecy will be necessary—that the latter may be secured we propose that this plan shall not be communicated even to the Captains of the Ships, but Sealed Instructions given them not to be opened until they are at Sea.

You will direct them to call off the harbour of Charles Town and despatch a Tender to the Governor of South Carolina for intelligence of the Situation and force of the enemy—to request Pilots for the more

Southern Coasts and Such aid of armed Vessels as may be there ready to join them—That as little delay as possible take place at Charles Town, but that they proceed to take, burn, Sink and destroy as many of the enemies Armed vessels as possible, and haveing finished this business they Are then to proceed and throw themselves in the way of the homeward bound West India Ships. Such farther Instructions as may Occur to you as proper for the execution of this valuable business, you will please to give.

We propose that you should employ the Hibernia & two of the Packets lately built as Tenders to this fleet if in your judgment they are suitable for that purpose and they be Officered and Manned out of the fleet.

We are informed that Mr Langdon at Portsmouth hath under his Care some small Cannon belonging to the Public which may be proper for Arming these Tenders. You will take such measures for joining the Confederacy with the Other Ships as you may think proper, and we request you will inform us by every opportunity of the progress you make in preparing the Fleet and when they will Sail. The frigate Providence must still be reserved to execute Such business as we shall here after direct. We request you will inform Lieutenant Simpson that it is our desire that he continue to command the Ranger and use his utmost diligence in manning her and we should be glad of your opinion whether promoting Mr Simpson to a Captaincy would be injurious to the service or not.

We are Gentlemen, Your very hble servts

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

Marine Committee to John B. Hopkins

Sir, May 4th 1779

We have received your letter of the 18th Ultimo relating to your great success in your late Cruize which has given us much pleasure, and your conduct with that of the Other Commanders that were in Company with you has our intire Approbation which we Request you will communicate to them.[1] We doubt not but you and they will use your utmost exertions in Again preparing your vessel for the Sea and we have Sanguine hopes from your Zeal and Activity that great Credit will result to our navy from your proceedings.

We are sir, Your very hble servts.

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] Despite the Marine Committee's "approbation," John B. Hopkins was suspended from his command of the frigate *Warren* and a court-martial enquiry was ordered by the Eastern Navy Board. Hopkins was charged with disobedience and misconduct after he ended his cruise prematurely and put into Boston harbor, where his crew quickly left the ship, rendering it unable to return to sea. See Marine Committee to the Eastern Navy Board, May 20, 1779. Discussions of this subject are also found in the board's letters to the Marine Committee of May 3 and 12 and June 2, 1779, in Eastern Navy Board Letterbook, NN.

Gouverneur Morris to Thomas Johnson

Sir, Philaa. 4th May 1779.

I received your Excellency's Favor of the 30th April yesterday Afternoon and am informed this Morning that Persons in this City are purchasing by Authority of your State. The Price given hitherto by the Commissaries hath not exceeded £17.10. but at once they have offered £22.10. which cannot fail to produce very ill Consequences as the Scarcity will always be greater while the Prices rise. By the Estimate you have done me the Honor to enclose I find that we may count upon 6,000 Barrels already secured. Of this Richard Dallam is to furnish 2,000 which he had formerly purchased as a Deputy to the Commissary Genl. I am however content that he be considered as a State Purchaser and have accordingly directed the Commissary Genl. to receive from him the Ballance of Cash in his Hands which I have done because there is a Propriety in keeping the Accounts entirely distinct. I have to request Sir that Strict Orders be given to confine the State Purchasers to their several Districts because in calculating the Supplies and taking Measures to obtain them it was presumed that they would be so restrained and Arrangements made accordingly. I have further to request that if it be not already done no more than 10,000 Blls. be bought by your State as I have a fair Prospect of obtaining upon good Terms what may be necessary beyond that Quantity and that which is in the Magazines. In order that your Purchasers may not themselves clash with each other I would submit to your Excellency's Consideration the following Arrangement viz. that they be directed to procure

James Govane	1,400
Wm. Henry	2,700
Isaac Perkins	1,000
John Thomson	150
Saml. Gilpin	2,500
Richd. Dallam	3,250
	10,000 Blls.

By Means similar to these, two Objects will be effected. One to prevent a Competition between your own Servants and the other to take off that false Idea of our Necessities which I am perswaded has greatly contributed to enhance the Prices to their present inordinate Rates.

I have the Honor to be, your Excellency's most obedt. & humble Servt.

Gouv. Morris

RC (MdAA: Red Books).

Rhode Island Delegates to William Greene

Sir, Philadelphia May 4th, 1779

After encountering every obstacle that ingenuity could throw in the way of our motion, and after amendments & postponings without number at length Congress this minute came to the inclosed Resolution which was the best that our utmost efforts could obtain.[1] The post being just about to set out will not admit of our enlarging.

The only news that we have to communicate, is an Annunciation of the birth of princess in a letter from the King of France to Congress, with fresh Assurances of his friendship. We beg leave to renew our expressions of Regard to the State of Rhode Island &c and to your excellency and to assure you that we are, Your Excellency's most obedt. humble Servants,

William Ellery

[*P.S.*] Time will not allow my waiting for Mr. Collins to sign this letter.

RC (R-Ar: Letters to Governors). Written and signed by William Ellery.

[1] The resolve provided Continental support for 1,500 additional troops in Rhode Island. See Rhode Island Delegates to Congress, May 3, 1779.

President John Jay also sent copies of this resolve to Governor Greene and to General Washington with brief cover letters dated May 5. PCC, item 14, fol. 97.

Joseph Spencer to Oliver Ellsworth

Dear Sir Philadelphia 4 May 1779

I have Recd. your Favour of the 26 Ulto. and thank you for your Inteligence, the Dispatches you mention have not yet come to Congress, I Conclude they were to Monsieur Gerrard, he has Lately took a Tour to Head Quarters, did not return untill Yesterday. I have very Little Newes to Tell you, we have nothing Late from Europe, no Dispatches from our forreign Commissioners. Since I came to Congress, much time has been Spent in Congress on forreign affairs, Cheifly Relative to our Commissioners. The great Question has been wheather our Commissioners Should be Recald. or not, it was prity Soon determined not to Recall Mr. Adams, and after Same day Examination & altercation the Question was decided in favour of the Continuance of Doctor Franklin as Plenopotentiary at the Court of France, after Several days more Spent on the Question Relative to Mr. Arthur Lee the Question being put to the house yesterday, twelve States only were present, there was four ayes, four noes & four divided—after this history it will be needless to tell you that the affair of Arthur Lee wonderfully Engaged the attention of the members of Congress. Wheather matters will Rest here and Congress will now proceed to finish their Dispatches to their forreign Commissioners without further delay, is to me uncertain, I wish it may be So. Mr. Shearman arrived here Last Wednesday,[1] & is well, presents his Compliments to you, Mrs. Chearman and Family are also well & She also presents her Complets. Your Most obedient Servt.

J. Spencer

RC (MH-H: Sparks Manuscripts).

[1] According to the journals, Roger Sherman took his seat in Congress on Tuesday April 27. *JCC*, 14:513.

John Fell's Diary

Wednesday 5th May [1779]

Commercial Committee. Congress. Report from the Treasury, relating to the setling the late Commissary General Trunbulls Accts. Long debate, at last agree'd his Brother be impowerd to setle them. Agreea'd that the Troops Raising in Virginia and North Carolina, with Blands & Bailors Dragoons, be sent for the diffence of Georgia & So Carolina.[1]

Committee to whom was Refferd the Petition of the Inhabitants of Bermuda, Reported for Indian Corn to be sent them, (not Determined on). Motion to adjour to 5 oClock, to morrow being fast Day,[2] carried in the Negative.

MS (DLC).

[1] According to the journals, Congress' decision to order the troops commanded by Cols. Theodorick Bland and George Baylor to the southern department was not reached until May 7. *JCC*, 14:560.

[2] Congress had set aside the first Thursday in May as a "day of fasting, humiliation and prayer" to rouse the inhabitants of the states "to vigorous exertions on the present critical situation of public affairs." *JCC*, 13:272, 342–44, 14:553.

Samuel Holten's Diary

[May 5, 1779]

5. Wednesday. The president of congress, the Minister of France, the president of this state, Mr. Laurens, Mr. Vandike, Dr. Whitherspoon, Don Juan, Mr. Daulton, & Mr. Austin dined with us.

MS (MDaAr).

John Jay to Jacobus Wynkoop

Sir, Philadelphia 5th May 1779

You will receive enclosed a copy of an Act of Congress of the 4th Inst. on the Subject of your Memorial.[1] The allowance made to you is the same with that of a Captain of a Continental frigate.

I am Sir, Your most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

[1] See Jay to George Clinton, December 10, 1778, note.

Henry Laurens' Notes of Debates

6 May 1779.

Mr. Merriweather Smith who appears in Dunlap's Packet of the 6th May 1779 to have called for the Yeas and Nays on the question in Congress "shall Mr. Arthur Lee be recalled" had on a preceding day pressed for the recal of that Gentleman, to the end that he should answer to Charges exhibited against him by Mr. Deane in his Narrative.[1]

Mr. Laurens replied that he knew of no charges against Mr. Lee, that there were indeed insinuations, which appeared to him to be frivolous or groundless & some of them to be scandalous as well as frivolous, But that his view being to obtain justice both to the Public & to individuals, he should chearfully give his voice for the recal of Mr. Lee, provided his accuser Mr. Deane, were detained in America, in order to support what had been called his *"charges against Mr. Lee."*

Mr. Smith replied he could not consent to detain Mr. Deane, who might be allowed to pursue his own affairs and to attend when Mr. Lee should be on the spot.

Mr. Laurens rejoined, if this be the Gentleman's scheme for harrassing Mr. Lee I shall not consent to his recal, it is not so easy a business as the Honorable Gentleman seems to conceive to cross & recross the Atlantic Ocean in a time of War. Mr. Lee & Mr. Deane upon the Gentleman's principle will be reduced to the state of two Buckets alternately going up & down a Well meeting only midway.

On a subsequent day when the same subject was under debate in Congress, Mr. Laurens repeated his former proposition for detaining Mr. Deane, & added "at public expence" & for recalling Mr. Lee.[2]

This second overture seemed to be eagerly embraced & committed to writing by a Gentleman sitting & taking Notes at the lower Table.

On the Morning of the 4th May before the question for the recal was put,[3] the Honble Mr. Burke shewed Mr. Laurens a written motion which he said he intended to present to Congress that Morning, to the following effect Vizt—"Resolved that Mr. Deane be ordered not to depart from America until the Honorable Arthur Lee shall arrive" &c &c.

Mr. Laurens viewed this intimation by Mr. Burke as a challenge or claim of his promise to vote for the recal of Mr. Lee, provided Mr. Deane should be detained in America to support his pretended charges, & therefore he observ'd to that Gentleman, that he should certainly keep his promise if Mr. Deane would obey such an Order of Congress & give security for his remaining in America even by a promisary Letter.

Mr. Burke said "surely Mr. Deane will obey the Order of Congress, what security would you require?"

Mr. Laurens answered, I question whether Mr. Deane will hold himself obliged to obey such an Order. As to security a written promise by Mr. Deane [will] satisfy me—therefore make your motion as you please only give me assurance that Mr. Deane will remain here until Mr. Lee's arrival & an hearing in Congress & I will vote for the Recal of Mr. Lee.

Mr. Burke offered his motion to Congress, some debates or remarks on that side of the Room ensued—I rose to speak to it & said "I should support the Motion provided the House could be assured Mr. Deane would obey their Order. I was proceeding & had intended to add, that the assurance of the Honorable Gentleman who had made the Motion or of any other Gentleman on behalf of Mr. Deane that he would not depart from America until further Orders from Congress, would secure my Vote for the Recal of Mr. Lee, but the president, interrupted me by informing the House, that Mr. Burke had withdrawn his Motion.

☞ These are simple facts. Men of Candor & in the least acquainted with the proceedings of popular Assemblies will require no Comment from me. Such Men will instantly draw proper conclusions & will not wonder that I refused to join in a persecution. Henry Laurens.

MS (MHi: William Gilmore Simms Collection deposit, 1973). In the hand of Henry Laurens and endorsed by him: "for Lieutt. Colo. John Laurens' information & at his disposal except publication, So Carolina."

[1] According to the journals, Smith had called for the yeas and nays "On the question, shall Mr. A. Lee be recalled" on May 3. The "preceding day," on which he had pressed for Lee's recall, cannot be determined. The May 3 vote on Lee's recall was printed essentially as it appears in the journals in the May 6 issue of Dunlap's *Pennsylvania Packet* with the following unsigned statement: "As the following state of Votes on an important question may gratify the curious, I send it to you for publication." See *JCC*, 14:542–43. Congress did not sit on May 6, 1779, a "Fast Day."

[2] The day in question here cannot be determined, but for Laurens' assertion that he thrice proposed to support Lee's recall provided Silas Deane were ordered to remain in America, see the first entry of his notes of debates for May 8, 1779, below.

[3] As the vote to recall Lee was taken May 3 and no evidence has been found to indicate that Congress returned to the issue on the fourth, Laurens must be in error on this date.

Gouverneur Morris to Thomas Johnson

Phila. 6th May 1779.

Sir,

I am to request of your Excellency that all the Flour in your State except 5000 Barrills may be delivered to the Order of the Commissary Genl. to be forwarded on for the Use of the Army. It will be most proper that such as lies nearest to the Head of Elk should be applied to this Purpose. The late Movements of the Enemy requiring a considerable Aid from the Militia will increase greatly our Expenditures.

I have the Honor to be most respectfully, your Excellency's most obedt. & humble Servant, Gouv Morris

RC (MdAA: Red Books).

Virginia Delegates to George Washington

Philadelphia May the 6th 1779

Sir,

The inclosed letter[1] being referred by Congress to the Virginia Delegates we have judged it proper to request of you that you will be pleased to assist us with your advice upon the occasion.

We see this business involved in circumstances of such a nature as to create much difficulty and embarrassment. On the one side is presented

Colo. Spotswoods merit as an Officer, his seniority of service, the peculiar situation under which he resigned, and that resignation not accepted by Congress[2]—On the other hand we see a probable discontent in the army, arguments drawn from his resignation, and the measures consequent thereupon such as the Office he held being filled by another, and the new arrangement having passed him by unnoticed.

In this state of things we are puzzled to know what report to make. We could wish earnestly to do justice to Colo. Spotswoods merit and his claims, whilst in doing so, we are unable to foresee the consequent ill effects that may be produced by it in the army from dissatisfied ideas of injured rank. Whether an adequate provision may not be made for him from the circumstance of the new Levies of Virginia (going Southward) which will amount to about 2000 men, we cannot be certain.

We have understood from Colo. Spotswood what when that service was over, if any rank given him there should create dissatisfaction in the army, that he would be willing to resign, after having had that opportunity of distinguishing his zeal for the service of his country. But how this can be done, unless by his being created a Brigadier is the question, and what effect this may have on the arrangement and in the sentiments of the army we are greatly at a loss to judge. We wish exceedingly to be favored with your sentiments on this subject, for which we shall be much obliged.[3]

We have the honor to be with very particular esteem and regard, Sir your most obedient and most humble servants,

Meriwether Smith Richard Henry Lee
Cyrus Griffin Wm. Fleming

RC (DLC: Washington Papers). Written by Lee and signed by Lee, Fleming, Griffin, and Smith.

[1] Col. Alexander Spotswood's April 29 letter and memorial to Congress, which were referred to the delegates on May 4, are not in the Washington Papers or PCC. See *JCC*, 14:544.

[2] Spotswood had resigned his commission in early October 1777, a few days after the battle of Germantown, and Washington had accepted it. Although Congress subsequently declared its opposition to Spotswood's resignation, the Virginia colonel left the Continental service. See *JCC*, 9:981; and Washington, *Writings* (Fitzpatrick), 15:64–66.

[3] Spotswood had begun to make efforts to obtain reinstatement in the army in the summer of 1778. See Spotswood to Washington, July 16 and August 23, 1778, in the Washington papers, DLC; and Washington to Richard Henry Lee and to Spotswood, August 9 and 11, 1778, respectively, Washington, *Writings* (Fitzpatrick), 12:306–7, 315–16. In his May 13, 1779, reply to the Virginia delegates, Washington advised against reinstating Spotswood and appointing him a brigadier because "it would be considered an Act of injustice by the Army at large and particularly so by the Virginia line." Ibid., 15:64–66.

John Fell's Diary

Friday 7th May [1779]

Commercial Committee. Congress. A Number of Letters and Memorials & another Petition from Bermuda, for Bread, after long Debate agreed to Reject their Petition alltogether. Letter from General Washington enclosing Letters from General Schuyler, that some of the Six Nations were suing for Peace, and that intelegence from Canada was 1500 Regulars and some Canadiens were expected on the Frontiers &c. Letter from Mr Jarrard that by his last Accounts England expected to Act vigorosly & determin'd to Push the Warr.

P. M. Marine Committee.

MS (DLC).

South Carolina Delegates to John Rutledge

Philadelphia May 7, 1779.

Sir.

It is with the highest pleasure we transmit to your Excellency a copy of the Acts of Congress of the 5th & this day, in aid of South Carolina & Georgia, upon the Report of the Committee made on the 5th upon the letter of the 5th of April from Lieut Governor Bee.

A necessary application to the Commander in Chief upon the subject of this business, has prevented its being sooner finished.[1] And, except in the instance of an application in January last by Mr. Drayton for the march of the North Carolina troops & the sailing of a Naval force to South Carolina & Georgia, Congress have chearfully adopted every measure in their power which has been advised for the aid of those States.[2]

The pressing calls from the main army, for military Stores by a certain & short day, still prevents our being able to send off those destined for South Carolina: we hope, that within ten days, they will be sent forward.[3]

We have the honor to be, Sir, Your Excellency's most obedt. & most humble Servants.

[P.S.] Mr. Laurens having desired me to pen a public letter from the Delegates of South Carolina in consequence of the Acts of Congress of the 5 & 7, May, in aid of South Carolina & Georgia, I, William Henry Drayton, draughted the above: & offered it to Mr. Laurens for his signature. He objected to the second period[4] in the second paragraph, saying, Congress had not done so, & that as we were not called upon to say anything on that subject, he did not chuse to Say any thing at present. I answered, that I had inserted that period, because I thought it stated facts, which should be known in Carolina, as Mr. S. Adams had informed me, that he had been informed from S. Carolina, that a different idea was entertained there which was injurious to Congress & had desired me to place the matter in its true point of view, & that he had mentioned the same circumstances to him, Mr. Laurens. Mr. Laurens persisting in his objection to that period in the public letter, I wrote over a copy of that letter verbatim, leaving out the period objected to, & it was signed by Mr. Laurens & myself.

However, in order to remove improper ideas respecting the Conduct of Congress in aid of South Carolina & Georgia, I think it is proper to desire a few Members of Congress competent to the subject, to sign this paper if they think the period objected to is a proper State of circumstances.[5]

FC (NHi: Duane Papers). In the hand of William Henry Drayton.

[1] The journals do not indicate that the committee's report had been brought in on May 5 or that any action was taken that day, but John Fell's diary entry for the fifth suggests that Secretary Thomson's journal entry is incomplete. For the resolutions entered on May 7, however, see *JCC*, 14:559–61.

For the April 5 letter of South Carolina's lieutenant governor, Thomas Bee, and its referral to a "committee of three" that solicited Washington's opinion, see Committee of Congress to Washington, April 28, 1779. Washington's replies to the committee of April 30 and May 5 are in Washington, *Letters* (Fitzpatrick), 14:469–70, and 501. Richard Henry Lee's drafts of the committee report, containing some variations, are in PCC, item 20, 2:361–63, and the Lee Family Papers microfilm, ViU. The introductory paragraphs, which appear in the latter text but were largely omitted from the journals, are as follows:

"The Committee to whom was referred the letter from the Lieut. Governor of South Carolina having had the same under consideration have agreed upon a report and come to the following resolutions.

"Your Committee have communicated their sentiments upon the subject of giving aid to the States of South Carolina and Georgia to the Commander in chief and taken his sentiments thereupon, and having conferred with Major General Howe whose opinion your Committee find to be that a considerable and speedy aid is necessary to be sent to the said States, therefore, Resolved . . . ."

[2] See *JCC*, 13:100–102, 125, 132–33, 436, 443–44, 464–67; and Thomas Burke's Draft Committee Report, March 25, 1779.

[3] On May 30 the commissary of military stores at Philadelphia, James Pierson, sent Laurens a list of arms and equipment "now ready for Transportation to Carolina at any time when Ordered." Laurens Papers, DLC.

[4] That is, second sentence.

[5] Apparently Laurens objected to Drayton's assertion that "Congress have chearfully adopted every measure in their power which has been advised for the aid of those States," given his complaint that "Congress had not done so."

Since this document is located in a collection of James Duane papers, it would seem that Drayton gave it to Duane to circulate among a few friendly delegates, but as no delegate signatures have been added to the manuscript, Drayton's purpose in preparing it appears to have failed.

John Fell's Diary

Saturday May 8th [1779].

Commercial Committee. Congress. Order of the Day on foreign affairs. Question whether a shair of the Fishery on the Banks of Newfound Land should be an Ultimatom in Case our Allies should agree to terms with Great Britain. Long Debate.

Letter from Mr Gerrard Pressing the necesity of fixing on a Proper Person to be appointed Minister Plenoptentary to the Court of Madrid.[1]

MS (DLC).

[1] Conrad Alexandre Gérard's May 6 memorial was read in Congress on May 7, but consideration of it was postponed to this day. *JCC*, 14:554.

Henry Laurens' Notes of Debates

8 May 1779

Mr. Laurens asked what branch of foreign affairs shall we proceed upon, the Report of the Committee of thirteen, or what is called the Ult[imata] or Ultimatum. I think it will be best to finish the former; I have three times repeatedly proposed to give my voice for recalling Mr. Arthur Lee provided Congress would order Mr. Deane to remain in America to support his charges. I now again repeat the proposition—some Gentleman has published the Yeas and Nays on the Question for recal,[1] the whole truth should have been published if publication was necessary or right & the whole truth will be published—and Gentlemen will remember this repeated offer on my part.

The Ultimata called for.[2]

Mr Drayton's very ignorant harangue on the article respecting the Fishery—we had forfieted the pretended right when we withdrew our Allegiance—of no use to any but 3 or at most 4 States never had been or ever would be of use to Carolina or Georgia &c &c

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MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Ultimata & Langworthy, 8 May 1779, also proposition to recal A Lee & detain S. Deane." Tr (ScHi: Laurens Papers, no. 31). In the hand of Moses Young. MS damaged; missing passages supplied from Tr. See also the document note to the following entry.

[1] See Lauren's Notes of Debates, May 6, 1779, note 1.

[2] For the context of this debate, see *JCC*, 14:563-66.

Henry Laurens' Notes of Debates

8th May 1779.

The Ultimata ta[. . .][1] the substitute agreed to by Yeas & Nays the 25 March being read[2]—the following Resolution prefaced by a long string of argumentation offered as a substitute to the substitute—

> "Therefore Resolved that this Congress will agree to a treaty of Peace with great Britain provided the absolute & unlimitted liberty & Independence of these United States as well as in matters of Government as of Commerce should be thereby acknowledged & assured—And provided that no terms or articles shall be therein contained which are consistent with or repugnant to the Treaties already subsisting between the Most Christian King & the United States."[3]

Question—whether this be in Order.

Long debate—Yeas & Nays passed in Negat[ive], debated the Substitute of 25 [March . . .][4] be adopted as an Ultimatum [. . .][5]cision 1/2 p. 4 P.M.

[Mr. Lauren]s moved the House on Privilege that he was informed Mr Langworthy had sat in Congress & voted as a delegate from Georgia from the 16th February, to the 12th or 13th April when he had no right to sit in Congress, that particularly his name appeared six times aye & Nay in the articles of the Ultimata—that if it should be found he had no right so to sit & Vote, which the President or Secretary could determine he moved that Mr Langworthy's name should in these instances be rescinded.

Mr. Meriwether Smith, said Mr Laurens should prove it.

Mr. Laurens, answered No the inquiry was his Duty. The Secretary or President should satisfy the House by producing Mr Langworthy's Credentials.

Mr Lovel said many Questions had been determined & business executed under Mr Langworthy's casting Vote & that it was impossible to rummage through the whole.

[. . . replied that to?][6] such cases as were irremediable [it might be?] submitted, but in every remediable [case the?] remedy should be applied, that if the [House?] would take no notice of his motion the [Public?] should know it & called for Yeas & Nays.

Mr. Smith & Mr. Drayton [. . . .]

Mr. Duane also in a long [. . .]ed that time should now [. . .] were just entring upon foreign affairs.

Mr Laurens said the subject would admit of no debate—if Mr Langworthy had not a right to sit & Vote not a minute would be taken up in giving the Secretary order to expunge his Yea or Nay—that if time was unnecessarily lost it was their fault who debated against supporting the priveledge & honor of the House, but that he should in order to ease Gentlemen's minds withdraw his motion for the present promising to renew & prosecute it before the Ultimata was finally closed.[7]

Memorand[um], Drayton & Langworthy.

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Ultimata & Langworthy. 8 May 1779. also proposition to recal A Lee & detain S. Deane." As this MS and the MS printed in the preceding entry are two parts of a single document, Laurens was referring to both items in this endorsement.

[1] MS damaged; approximately four words missing.

[2] The substitute referred to here by Laurens was probably adopted on March 30, modifying the action taken by Congress on March 24. See Gouverneur Morris' Proposed Resolve, March 22? note; and John Fell's Diary, March 30, 1779.

[3] For the lengthy preamble to this proposed resolve, which was offered by Gouverneur Morris and seconded by Thomas Burke, see *JCC*, 14:563-65.

[4] Approximately four words missing.

[5] Two or three words missing.

[6] Laurens was doubtless the speaker whose response is recorded in this mutilated paragraph.

[7] For Langworthy's attendance at Congress and Laurens' consuming interest in his "right to sit and Vote," see Edward Langworthy to John Houstoun, April 5, note 3; and Laurens to John Laurens, April 16, 1779.

Henry Laurens' Proposed Resolution

8th May [1779]

Mr. Laurens—Moved that a Letter be written by the President to the Minister of France, accounting for the unavoidable delay of a final determination of the business alluded to & expressing the sensibility of Congress on the goodness of their great & good Ally &ca.[1] A motion reduced to writing on this subject by Mr. Adams.

MS (S-Hi: Laurens Papers, no. 32). In the hand of Henry Laurens.

[1] Laurens appended this note to a translation of Gérard's May 6 memorial to Congress, which was read on May 7 and taken under consideration on the eighth. See *JCC*, 14:554, 563–66. Gérard's memorial is in PCC, item 94, fols. 186–88; and Wharton, *Diplomatic Correspondence*, 3:156–58.

Rhode Island Delegates to William Greene

Philadelphia May 8th 1779

Sir,

We had the honour of inclosing, in a letter hastily written to your excellency last Tuesday,[1] a copy of a Resolution of Congress approving the raising of a brigade in the State of Rhode-Island &c: And on friday morning last received your letter of the 26th April, inclosing a letter to Congress open. We perused, sealed and presented it to the President. It was read and is referred to Genl. Washington, as you will see by the inclosed resolution.[2] We took this opportunity and brot upon the tapis our motion recommending to our Sister States to send to and keep up their quotas of militia in our State, which passed.[3] A copy of it we now inclose to your excellency. We will procure the commissions you require and send them by the Post.[4] We have spoken to the President for them, but he could not prepare them to be sent by this opportunity.

We hope that the resolutions of Congress will be agreeable to the State, and produce happy effects. The Condition annexed to the resolution, approving the raising a brigade in our State, we would have prevented if it had been in our power; but it was impossible, as you will see when the Journals are printed. As to those Soldiers who shall be inlisted before the resolution reaches your excellency there can be, we think, no difficulty; as to those who may be inlisted thereafter, the State will add to their bounty or devise some other method which will give them satisfaction without violating that condition. If Congress should have approved of giving additional pay to the Soldiers of our Brigade they must have advanced the pay of all the continental Soldiers, which, at this time, would prove ruinous to our finances. When money is wanted to pay the troops in our State or for other military purposes, the best way would be for the paymaster to write to the Treasury board setting forth the Sum wanted and the User to which it is to be applied, and to have his application backed by the commanding Officer in the Department. A Sum of money which issued from the Treasury for the paymaster, not long since, we imagin had not reached the State when your letter was wrote. A letter from Genl. Gates, in which he applies for money, came to Congress by the last post, and is referred to the Treasury board,[5] with the President whereof I have conversed on the subject.

The recommendation to our neighbouring States to send to our defence their stipulated quotas will we believe have little or no effect upon Connecticut, her shores being exposed to the enemy. We expect that it will stimulate New Hampshire and Massachusetts-bay to a performance of their engagements; for they are without any reasonable excuse.

We trust that Genl. Washington will attend to the necessities of our State, and not deem it inconsistent with the good of the Service to let Genl. Glover's Brigade remain there, at least until our Brigade shall be completed and our Sister States have furnished out their Quotas. We were about to write to him upon this subject but upon being informed by Col. Wheelock, the bearer of your excellency's letter, that the State had written to Genls Washington and Greene we relinquish our design.

We have reason to think that Great-Britain will strengthen her armies in America, and that they will exert themselves to the utmost of their power, this campaign. It behoves us therefore to guard ourselves. They have possessed themselves of Georgia, and aim at the possession of South-Carolina. If they should obtain that, and add our State to their acquisitions, which God in his infinite mercy, forbid, the War would be protracted to a most ruinous length or we must be compelled to submit to a disadvantageous, dishonorable peace. We have had no news from the Southern army for 16 days past. Col. Laurens told Mr. Ellery yesterday that he had heard it was said at N. York that there had been an action between Genls Lincoln & Prevost, in which the former had gained an Advantage. We wish it may be true. Last week the King of France, in a letter to Congress, announced the birth of a Princess, and gave us fresh & strong assurances of his friendship. A Committee, according to form & etiquette, waited upon the Minister with their congratulations on this happy occasion; and a proper answer will be written to the letter of his most Christian Majesty. Congress are now engaged in our foreign Affairs, and as soon as they can get through them, will take up the business of financing.

We are almost worn out with a constant Attendance on Congress for seven months, and wish that two of the Gentlemen now elected may come on immediately.

If any thing new should come to hand between this and the next post, we will impart it by him; in the mean time we have only to add that we are with the highest Sentiments of respect, Yr. Excellency's, most obedt Servt.

William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery and signed by Ellery and Collins.

[1] See Rhode Island Delegates to Greene, May 4, 1779.

[2] *JCC*, 14:554. Governor Greene's letter asking that Gen. John Glover's brigade remain stationed in Rhode Island is in PCC, item 64, fols. 438–39, and William R. Staples, *Rhode Island in the Continental Congress* (Providence: Providence Press Co., 1870), pp. 220–22.

[3] *JCC*, 14:554. Pres. John Jay also transmitted copies of this and the preceding resolve to Governor Greene on May 10. PCC, item 14, fol. 100.

[4] In his letter of April 26 Greene had requested a number of blank commissions for privateers. Staples, *Rhode Island in the Continental Congress*, p. 219.

[5] Gen. Horatio Gates' April 27 letter enclosing his draft on the president of Congress for money to pay the troops in Rhode Island was referred to the Board of Treasury on May 7, for which see John Jay to Gates, May 10, 1779.

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir, Philadelphia May 9th 1779

I have the pleasure of your favor of the 7th Inst.[1]

Your Judgmt. on the present situation of our affairs perfectly corresponds with my own. Had early requisitions of Men & Provisions been made to the States in December we should, in all humane probability have commanded a peace sooner than it will now be in our power, for want of them. However, I must observe to you, with all our remisness, our affairs are far from being desperate. If we talked, less, and thought more than we do in Congress, our business in my Opinion would be better conducted.

I wish with all my heart that we had an Executive, and agree with you in opinion that the want of it, is a strong reason for entering into some kind of confederation or other—But it has always hurt me, to think of confederating on terms that would not be lasting. I believe that Congress are now most disposed to explain the Confederation than it was sometime ago. The necessity of its being done has opened the Eyes of some of the Congress. But at present, Business of greater importance takes up all our time. God grant us Wisdom to determine with that Judgment & precision wch the grand object requires, we should do.

I have not the least doubt but a Loan sufficient for the use of the Army might be obtained if proper applications were made. If the States would Tax roundly, no doubt but the general demand for Money for that purpose would appreciate the Currency, especially if we could fall upon measures that would prevent Speculation, for that has been the bane & cause of our present distresses.

Connecticut has raised double the Sum this year, that was required of that State by Congress—a wise measure, wch. I wish other States would adopt.

I had drafted a Letter for my Collegues to join me in, advising the Governor & Council to spare at least 5 peices of Cannon to Congress, but as we had other matters to mention wch required the determination of Congress—Viz. an order for Eight hundred thousand Dollars & the opinion of the board of Treasury respecting the Emissions of May and April—the Post had set out before we could obtain the order & opinion, & for these reasons it happened, that you did not receive the joint Letter of the Delegates, before this Post.[2]

I am happy in being informed that Speculation in our State is almost at a Stand, I wish to God it were so in every other, but at this place it seems to be as high as ever. We never knew distress till this vice pervaded the Continent. In 1775, every man was ready to offer his Service, & contribute his Mite—But oh! Jeruselem, Jeruselem, how art, 'thou fallen!

It will be neither in your power or mine, to keep up so regular a correspondence as we could wish, the intervention of public business will prevent it. But you may assuredly depend upon my giving you the earliest intellengence of every important occurrence that may cast up.

I pray God that the Troops lately embarked at New York may not be intended for Maryland & Virginia—if they should, I hope my Countrymen will not flinch in the Day of Trial—nay I am confident that on this, as on every other occasion, they will approve themselves true Marylanders—i.e., neither to be menaced by power, nor frighten'd by danger.

I am Dear Sir, Your affectionate friend,

Daniel of St. Thos Jenifer

RC (MdAA: Red Books).

[1] Jenifer is apparently referring to a private letter to him from Johnson, not the brief May 7 letter from the Maryland Council to the state's delegates concerning the sale of gunpowder that is in *Md. Archives*, 21:382.

[2] Jenifer had obtained a resolve from Congress on May 3 directing the Board of War to apply to Maryland for "heavy cannon belonging to the State . . . to lend . . . for the defence of the posts on Hudson's river." *JCC*, 14:541. For the "joint Letter of the Delegates" transmitting this resolve, see Maryland Delegates to Johnson, May 11, 1779.

Henry Laurens to Jacob Read

Dear sir,[1] 9th May 1779

Yesterday after a pilgrimage of near ten kalendar months your favor of the 16th July 1778 made its appearance.[2] Your brother[3] had been three days on his journey to Charles Town when an Inn-Keeper with whom he had lodged brought it to my house and laid it on a table, as the subject on which it treats are not obsolete I should not have troubled you with this but from a desire to remove from your mind unfavorable impressions which unquestionably have been made by the seeming neglect on my part to return that respect which is due to every Gentleman's correspondence and particularly to the address of a friend recommending a Brother. Doctor Read I am sure will do me the Justice to inform you that although your first letter was mislaid and the one now before me strangely concealed, I have upon every occasion testified my regard for you by showing him more than bare civility.

Our public intelligence varies exceedingly from the tenor of that which we received from the same high authority about three Months ago, if we give full Credit to what is now said, we ought to be diligent in making ample preparations for an active bloody Campaign, but proper reflection upon the many political manœvres and humbugs which I have been witness of induces me to repeat respecting the latter what I had said in the former instance—"it may be so," being asked two days ago by a Gentleman, "Are we likely to have peace soon, tis so whispered abroad." I replied turn up a ha'penny and call head or tail—'tis indeed whispered that we shall very soon have terms of Peace tendered to us, probably we shall be told to morrow the Enemy is making the most vigorous exertions for prosecuting the War against us and so it precisely happened. I have ever thought it would be a mark of wisdom on our part to meet offers of peace with full Battalions but unhappily my Country Men, if I may judge from their practices have been of a different opinion, a days amusement by the sound of Treaty and peace Stagnates for a Month all Battalions progress. The present intimitation of our Enemy's design to persevere in the War may have a good effect, although I have suspicions of its being calculated for the purpose of a day—a day or two more will remove or confirm the jealousy.

I am exceedingly concerned for the particular distresses of my native Country. I had done every thing in my power for averting, and am using all my feeble endeavors for removing them, I lament the little success I have hitherto had in either case. America virtue is become torpid. I do not think it quite dead. I believe there are virtuous Men among us but too many of them are in the Disguise of Traders and Speculators flattering themselves in errors which threaten to bring us as a Nation into great disgrace.

I have the honor to be &c,

H L

LB (ScHi: Laurens Papers, no. 16).

[1] Jacob Read (1752-1816), a South Carolina lawyer who was later elected to Congress and attended in 1783-85. *DAB*.

[2] Read's July 16, 1778, letter is in the Laurens Papers, ScHi.

[3] Dr. William Read, for whom see Laurens to William Read, September 15, 1778, and February 9, 1779.

John Armstrong to George Washington

Philadelphia 10th May 1779

Dear General

Necessarily as now you must be led to consider on the One hand, the various distributions of your Army, I mean the Seneca or Northern Expedition—Some force at Fort Pitt, together wth the representation of Governor Green on behalf of the Providence Plantations & adjacent Country which Stands exposed to the contrasted force of the Enemy at Rhode Island—And on the Other, the intelligence of Mr. Gerrard respecting the return of the Count De Estaing to our Coasts, with a resolution of this day, throwing into your hands entirely & afresh the military Operations of the Opening Campaign, to vary or even recind former determinations at pleasure, a Step this, however honorary & confidential it may be, that must in present Circumstances inevitably embarrass yr. Excellency. Indeed Sir I conceive that at best you have only a choice of difficulties, but as that too frequently has been yr case and Support vouchsafed, the Same fountain is Open Still & unexhausted; here (using the very best means we can) must all our expectations rest, for truly Sir were you now in the American Cabinet instead of the field, an Anxious & distressed witness of our conduct, your hopes resulting thence must be low indeed. I do not so much complain of the Subject matter, as of the infatuated manner of doing business, whereby delay alone is sufficient to defeat us—I mean more particularly the State of our money.

Being clearly of Opinion that Our Army Ought to be respectable on the Sea Coasts this Summer, it is to be regretted that some Militia from Several States has not by One means or another been provided to have joined yr. troops destined to the Northward, whereby a smaller number of the latter might have Served the purpose. The Northern design I consider clearly indispensible, as without it the combined force of Indians, Tories, and not improbably, troops from Some part of Canada must fall on Pennsylvania agst. which every Stroke from the Northward has been directed Since July last—whereby great devastation, loss of property & blood has ensued. The Northern affair cannot be well conducted without Skill, prudence, firmness & Strength—An unwieldy or impeding apparatis is agst. the Success. As the neighbourhood of Fort Pitt is not threatened that I know of, will not the leaving it's defence to the Militia of that Country for two or three months, be a less risque to the Service generally, than either that the Commander of the Expedition shou'd prove weak, or your Army be too much striped to make him Strong? If So may not Coll. Broadheads Regt. be brought Over the Hills to join at Wioming or lower on the Sasquehanah, on this footting One Regt tho' perhaps Small will Still remain at Fort Pitt, if time permited I cou'd Support this idea with some argument but am content with only throwing it into View, if peradventure Some relief may be derived from it I shall use every effort in my power with the Council of this State for Some Volunteer Militia or otherwise, the Council are willing but in every of the States, the Militia are become calos or something else. I have the honor to be Dear General, Your Excellency's invariable and humbl. Servt. John Armstrong

[*P.S.*] The Officer who Commands has alwais an influence on drawing forth Volunteers or the Contrary, but I know the delicacy of applying this Idea in the present instance & therefore———[1]

RC (DLC: Washington Papers).

[1] For Washington's May 18 response to this letter, see Washington, *Writings* (Fitzpatrick), 15:96–99.

John Dickinson to Caesar Rodney

Sir, Philadelphia, May 10th, 1779

This Morning Congress receiv'd Intelligence from the Commander in Chief, of a very considerable Embarkation of Troops from New York. The

Destination of this armament cannot be ascertained, but from its consisting in part of Horse, and from other Circumstances, it is believ'd, to be designed against some of the Middle or Southern States. I therefore think it my Duty to give You the earliest Notice of this Advice, that in Case the Enemy bend their Course to our Bay or to Chesapeak, the Delaware State may be in preparation for defending itself or cooperating in the Common Cause.[1]

I would be more particular on this subject, but that Congress has this Moment resolv'd to send Copies of the Dispatches to the Southward, and Mr. Jay assures Me You shall receive one.[2]

Your Letter came to my Hands, but I have not been able to obtain any satisfactory Information, concerning the prisoners you mention.[3] Humanity & your Recommendation will powerfully induce Me to pay Attention to their Case, and I shall transmit to you the Result of my Enquiries & Applications.

I mention'd Mr White's Affair to Mr. Vandike[4], who tells Me, the papers are in Mr. McKean's Hands. He is now on the Circuit. When he returns, I will endeavour to have that Business finish'd according to your Desire.

The very important Business of the Quarter masters & Commissaries departments demands the most speedy & vigorous measures. You know, how much my sentiments correspond with your own on that Head, and I have the pleasure to inform You, that there appears in Congress a hearty Inclination to probe the Disease to the Bottom. For my part, I must say, that as I do not know a more effectual Way of rendering essential services to my Country, than by contributing my Assistance whatever it may be, to the Relief of these Evils, so, I shall industriously labour to perform my part of this great Duty.[5]

I think You mention'd to me, before I left Kent, that You had some Thoughts of coming to Philadelphia this Month. I most earnestly wish You would and if possible, before the Meeting of our Assembly, which I understand, is to be on the 17th. If You cannot, I wish to receive the Sense of yourself and as many of the legislative Council & Assembly, as can be conveniently collected; as soon as possible, on a general Question, which may be of eminent Use to my Collegues & Myself in regulating our future Conduct. We have most momentous Business to transact. It may happen in managing the Affairs of so extensive a Confederacy, that particular states may be more interested in certain points than other States or than the Confederacy in general.

My Opinion is clear, that the Interests of each State being Objects comprehended within the Confederation, are to be regarded as the Interests of the whole, & as such to be contended for and defended. [On] Interests of this kind, Difficulties, I apprehend, will not arise—but on Interests, beyond these Limits they may. On these, my Opinion is also clear, that as a Delegate I am bound to prefer the general Interests of the Confederacy to the partial Interests of Constituent Members, how many soever they be, & however respectable and meritorious; and further, that if ever such a Competition should arise, it is my Duty to prefer the particular Interests of the State that honours Me with her Confidence & invests Me with a share of her power, to the particular Interest of any other State on this Continent.

I cannot be more particular on these very important Considerations, not being at Liberty to disclose the Subjects of Debate to which they may refer. But obviously just as my Determinations seem to Myself on the most mature Deliberation to be yet so strangely crooked do the plain Lines of sound Policy appear by passing thro some Mediums, that I should receive great satisfaction in finding Myself fortified in the Resolutions that will actuate my Conduct, by knowing that the sentiments leading Me to those Resolutions are approved by my Country.

I am, Sir, with great Regard, your very hble Servt.

John Dickinson

[*P.S.*] Captain McClean's Company is by a Resolution of Congress annexed to the Delaware Battalion.

RC (DLC: Rodney Papers).

[1] For the destination of the British fleet, see William Fleming to Thomas Jefferson, this date, note 3.

[2] See John Jay to Patrick Henry, this date. See also Jay to Washington, May 15, 1779, note 2.

[3] Governor Rodney had written to Dickinson on April 17 inquiring about the exchange of two Delaware officers imprisoned on Long Island. See Rodney, *Letters* (Ryden), pp. 298–99.

[4] Rodney also felt that the case of Thomas White, an alleged loyalist arrested by Gen. William Smallwood in March 1778 for "Correspondence with the Enemy," deserved a hearing and asked Dickinson to "move Congress for that purpose." On August 3, 1779, Congress ordered White discharged from his parole. See ibid., p. 298; *JCC*, 14:917; and these *Letters*, 9:336–37, 418, 520–22.

[5] In his April 17 letter, Rodney had expressed grave concern that the "public are much injured" by the "management in the Quarter-Masters and Commissaries departments," an issue that had long plagued Congress.

John Fell's Diary

Monday 10th May [1779].

Commercial Committee. Congress. This day a Letter was Read from Governor Livingston, and also the Memorials of the Officers of the State of New Jersey. Letter from Genl Washington with an Acct of Coll Van Scacks Expedition to the Onendagos also an Acct of the Imbarkation of 8 Regiments from N York and the Conferrence with the Commissioners for the Excha of Prisoners at Amboy, orderd to be Printed.

Letter from the Minister, reccomending the finishing the appointment of a Minister to Spain &c &c. Expidition reccomended to Genl Washington.[1] A Letter from Mr De Franca and a long Memorial from Mr Beaumarsha (not finish'd).[2] Count DeEstang.

MS (DLC).

[1] For Congress' recommendation to Washington concerning military operations that might be undertaken in cooperation with the comte d'Estaing, whose imminent return to North American waters was reported to Congress this day by Conrad Alexandre Gérard, see President Jay's third letter to Washington, this date.

[2] Théveneau de Francy's May 7 letter to Congress, "accompanied with a memorial respecting M. de Beaumarchais' affairs," was read in Congress on this and the following day, when it was referred to committee. See *JCC*, 14:569.

William Fleming to Thomas Jefferson

Dear Sir, Philadelphia, 10th May, 1779.

I wish it were in my power to write you satisfactorily on the state of our public affairs. My residence here is of too short a date to enable to form a proper judgment of them.[1] There are matters of great concern now before congress, of which I am not at liberty to speak freely, tho' I am of opinion we may have peace on honorable & advantageous terms, in the course of the ensuing winter. We have pretty certain intelligence that a considerable reinforcement (the N. York papers of the 1st of May say 8000 men) will be sent over immediately; and if so there will, no doubt, be an active campaign, which it is generally supposed, will be chiefly confined to the southern states, where we are the most vulnerable—and from thence the enemy can more easily withdraw their troops to the West Indies, if occasion should require it.

I beg I may not be put in nomination at the ensuing election of delegates to serve in congress; as I find it next to impossible for me to serve longer than til August, should my country be disposed to continue me here; for besides my own loss of time, & the long separation from my family, my expences are so enormous that I find my fortune quite insufficient to support them. I am in private lodgings, with only a servant & two horses, which are in the continental stable, and I live as frugal as possible, notwithstanding which it costs me, at least, £25 a week, over & above my wages. If our assembly do not determine to support their delegates in congress,[2] they will shortly find that none of those of small fortunes will be able to continue here long enough to make themselves acquainted with the business they come to transact, so as to render them essential service; for I think I already discover men here who have local views, highly detrimental to the general good of the union.

Beef is from 12 to 15/ a pound, butter 20/, good lamb 20 dollars a quarter, & every thing else proportionably dear, and rising daily; from hence you may form some idea of what the decent support of your delegates will require. I wish not to put a shilling of public money in my pocket, & as the necessaries of life are daily rising, and what would now be an adequate allowance will not be so a month hence, I think it would be better for the delegates to render & account, of their expences, & let them be paid by the treasurer. No man who could not be trusted to render a just account deserves a seat in congress.

You will pardon the liberty I have taken of mentioning this subject to you. I did it from a conviction that you will do what you think right on the occasion.

I beg the favor of a line when you have a leisure half hour. I shall remember your weeping willow, & am Yr. affct. friend & servt,

Wm. Fleming

May 11th. I closed my letter yesterday morning, thinking it was post day, but have since been better informed; and as the paper of this day contains the latest advices we have, I inclose it for your amusement. Genl. Washington in a letter to Congress, dated the 7th is somewhat more particular than the paper respecting the embarkation from N. York. He says he received a letter from genl. Maxwell, who is near Amboy, the 5th. instant, informing "that that day there sailed from N. York about 4 or 5000 troops, chiefly Brittish, supposed either for Georgia or the West Indies, & said to be commanded by generals Vaughan & Leslie." The same day he recd. a letter from colo. Ford, stationed in the neighbourhood of Maxwell, with an acct. "that the same day (the 5th) 27 square rigged vessels & 12 or 14 sloops & schooners put to sea, & steered S.E. 'til out of sight."—That by a prisoner from N. York he was informed that the *report* there was, that between 6 & 7000 troops were embarked (He sailed with them to the watering place) that there was a vast number of light horse [on] board; & the fleet was very full of men—their destination unknown to the officers, who were very anxious to be informed whether they were going.[3] Their conjectures were various—some for Georgia, some for Maryland, & some for Rh. Island. And that Genl. Clinton was said to be on board—but that genl. Washington thinks highly improbable. The general thinks, from the number of vessels, that the whole embarkation cannot exceed 4000 men.

We are just informed (by report) that two large French merchantmen, full of dry goods, are taken off the Cape of Delaware, & carried into N. York. Adieu.

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 2:264–65.

[1] Although he had been elected as a delegate by the Virginia assembly on December 14, 1778, to replace John Banister who had resigned, Fleming did not present his credentials to Congress until April 28, 1779. See *JCC*, 14:527.

[2] The Virginia assembly was already attempting to meet the financial needs of its delegates in Congress. In October 1778 it had raised the daily allowance for each delegate from ten to fifteen dollars a day and the following May, while Fleming's letter was en route, initiated a bill to increase the allowance to forty dollars a day. In October 1779 the assembly added another twenty dollars to wages and also provided expenses for housing, family maintenance, servants, and horses. See William W. Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia*, 13 vols. (Richmond: J. & G. Cochran, 1809–23), 9:388–89, 558, 10:74–75, 163–64. For further information on legislation affecting the Virginia delegation, see Richard Henry Lee to the Virginia House of Delegates, May 4, 1779; and Meriwether Smith to Thomas Jefferson, July 6, 1779.

[3] Unbeknown to Fleming, the British expedition under Comdr. Sir George Collier and Maj. Gen. Edward Mathew that had left Sandy Hook on May 5 for the Virginia Capes had

already arrived off Hampton Roads on May 8, capturing Fort Nelson the next day and seizing and plundering Portsmouth on the 10th. Consisting of 27 square-rigged ships, dozens of support vessels, and nearly 2,000 troops, the British force moved on unopposed to burn Norfolk, Gosport, and Suffolk and to capture or destroy nearly 140 privateers and other vessels, including two fully-loaded French merchantmen, 3,000 barrels of tobacco, and great quantities of naval and military supplies and ordnance. Without the loss of a single man, the expedition reembarked on May 24 and sailed for New York on the 26th, having inflicted an estimated £2,000,000 in damages. For Gov. Patrick Henry's reports to Congress on British depredations, see Henry to John Jay, May 11, 12, 21, and 27, in PCC, item 71, 1:225-40, 2:223-24. See also Henry's proclamation and various eyewitness accounts in the May 15 Virginia gazettes (Dixon & Nicolson and Clarkson & Davis), and Henry to Richard Henry Lee, May 19, 1779, in Henry, *Patrick Henry*, 2:30-31.

In Congress, Henry's letters to Jay of May 11-12 were referred to the Board of War with the contents thereof to be communicated to General Washington and to Ambassador Gérard; those of May 21 and 27 were referred to the Committee of Intelligence. On May 21 Congress ordered the Board of War "to replace as speedily as possible, the arms furnished by the State of Virginia, at the request of Congress, to the State of South Carolina, with such cartouch boxes as may be required by the delegates of Virginia." See *JCC*, 14:622-23, 664, 694.

For details of the May 1779 British incursion into Virginia, see Robert Fallaw and Marion West Stoer, "The Old Dominion under Fire: The Chesapeake Invasions, 1779-1781," in *Chesapeake Bay in the American Revolution*, ed. Ernest McNeill Eller (Centerville, Md.: Tidewater Publishers, 1981), pp. 443-453.

Samuel Holten's Diary

[May 10-11, 1779]

10. Monday. I received a letter from Mrs. Holten. I dined with Mr. Smith. I attended the medical come. in the evening.

11. Tuesday. I wrote to the honble. council of Massa. Bay, to the honble. Mr. Palmer & to Mrs. Holton (No. 55).[1] Genl. Howe & a number of other gentlemen dined with us.

MS (MDaAr).

[1] Only Holten's letter to the Massachusetts Council has been found.

John Jay to Horatio Gates

Philadelphia 10th May, 1779.

Sir,

Your favor of the 27th Ulto, was delivered to me on the 7th Inst. & immediately referred to the Treasury.[1] The Subject of it is important and I flatter myself the money wanted will soon reach you.

I have the Honor to be Sir, your most Obedient Servant,

John Jay, Presidt.

RC (NHi: Gates Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 14:554. Gates' April 27 letter to Jay is not in PCC, and no subsequent letter from Jay to Gates on this subject has been found, but the following brief note from him to Paymaster Ebenezer Hancock of May 19 is apparently concerned with the same issue, the payment of a bill of $33,333 drawn by Gates for the deputy paymaster of troops at Rhode

Island. "You will receive herewith enclosed," Hancock was informed, "a copy of an Act of Congress of the 11th Inst. by which You will perceive that Congress has directed the payment of a Bill drawn by Major General Gates; the amount of which is to be charged to You." PCC, item 14, fols. 111-12. For the "Act of Congress" Jay enclosed with this note, which originated in a Board of Treasury report dated May 8, see *JCC*, 14:569, 570n.1.

John Jay to Patrick Henry

Sir, Philadelphia 10th May 1779.

Herewith enclosed your Excellency will find a copy of an Act of Congress of the 7th Inst. making further Provision for the defence of Georgia and South-Carolina, and particularly requesting that the new levies in Virginia may be furnished with the cloaths promised them by Law as speedily as possible; And if this cannot be immediately done that the State use it's Influence to induce the men to proceed with satisfactory Assurances that the Cloathing shall follow as soon as possible.[1]

I also now transmit to your Excellency a copy of a Letter from General Washington containing Intelligence of an Embarkation of Troops at New York probably destined to some of the Southern States. As the Rescue of the convention-Troops may probably be their Object, Congress hope due attention will be paid to it, & You will be pleased to consider yourself at Liberty on the Appearance of danger to remove them further into the Country.[2]

I have the honor to be, with great Respect, Your Excellency's, Most Obedient Servant.

LB (DNA: PCC, item 14).

[1] See South Carolina Delegates to John Rutledge, May 7, 1779, note 1.

[2] Washington's May 7 letter to Congress contained extracts of two letters to him concerning the embarkation and possible destination of from 4,000 to 7,000 British troops at New York. Washington, *Writings* (Fitzpatrick), 15:11-12. For the attack on Virginia carried out by these troops, see William Fleming to Thomas Jefferson, this date, note 3.

John Jay to William Livingston

Sir, Philadelphia 10th May 1779

I have been honored with your favor of the 8th Inst—It has, with the memorial enclosed with it, been communicated to Congress, & gave Occasion to a Resolution of which the enclosed is a copy.[1]

Your Excellency will also find enclosed a copy of an Act of Congress of the 5th Inst. for facilitating the Settlement of the late Commissary General Trumbull's, & other public Accounts.[2]

I have the Honor to be, With great Respect & Esteem, Your Excellency's Most Obedt. & Hble Servant.

LB (DNA: PCC, item 14).

[1] *JCC*, 15:568. Livingston's May 8 letter to Jay enclosing a "Representation of our Legislature respecting the subsistence of the Troops" is in PCC, item 68, fols. 449–50. The enclosure has not been found; Livingston's letter is endorsed in an unidentified hand: "Decr. 11, 1779, sent the inclosure to Mr. [Ginn?]." Congress referred the "Representation" to the Board of War and promised that as soon as "deliberations on certain affairs of great moment" were concluded, "the circumstances of the army shall be duly considered."

[2] See Jay to Certain States, May 11, 1779, note 1.

John Jay to John Rutledge

Philadelphia 10th May 1779

Sir,

Among the Papers herewith enclosed Your Excellency will find a copy of an Act of Congress of the 7th Inst making further provision for the defence of South-Carolina & Georgia—And also a copy of a Letter from General Washington containing Intelligence of an Embarkation of Troops at New York, whose destination, tho' not certain, is probably to Georgia or some other of the Southern States.[1]

It is with pleasure I can assure you of the determination of Congress to afford you all the Support in their power, nor can I by any means think them chargeable with Inattention to this important Object.

I have the Honor to be, with great Respect & Esteem, Your Excellency's most Obedt. Sev.

LB (DNA: PCC, item 14).

[1] For these enclosures, see Jay to Patrick Henry this date.

John Jay to George Washington

Philadelphia 10th May 1779

Sir,

I have had the pleasure of receiving your Excellency's Favors of the 3rd, & 7th Inst. with the several enclosures referred to in them; the former was committed for the purpose of executing the measures it recommends—the latter will be communicated to Congress this morning.[1]

Herewith are enclosed Copies of two Acts of Congress respecting the defence of the State of Rhode-Island, with a copy of a Letter from Governor Greene of the 26th Ulto. upon that Subject[2]—also an Act of the 7th Inst. making further Provision for the defence of Georgia and South-Carolina.[3]

I have the Honor to be, With the greatest Respect And Esteem, Your Excellency's Most Obedt Servt, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] *JCC*, 14:553–54, 566–67. Washington's letters to Jay of May 3 and 7 are in PCC, item 152, 7:287–90, 295–97, and Washington, *Writings* (Fitzpatrick), 14:484–85, 15:11–12. For Congress' response to the latter, see the following entry, note 1.

[2] See Rhode Island Delegates to William Greene, May 8, 1779, notes 2 and 3.

[3] See South Carolina Delegates to John Rutledge, May 7, 1779, note 1.

John Jay to George Washington

Sir, Philadelphia 10th May 1779.

Congress have directed their Thanks to be presented to Colonel Van Schaick & the Troops under his Command on the Onandaga Expedition. It appears to me most proper that this be communicated to him by your Excellency, & therefore a Copy of the Resolution on that Subject is enclosed.[1]

The Conduct of Colonels Davies & Harrison in their Conferences with the British Commissioners respecting a Cartel is approved by Congress, & a copy of the Resolutions on that head is now transmitted.[2]

I have the honor to be, with the greatest Respect & Esteem, Your Excellency's Most Obedt. Servant, John Jay, Presidt.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] In his letter of May 7 to Congress, Washington had enclosed an extract of an April 27 letter from Gen. Philip Schuyler and a copy of Col. Goose Van Schaick's "Minutes & proceedings of the Onondaga Expedition," dated April 24, 1779. See *JCC*, 14:566–67; PCC, item 152, 7:295–305; and Washington, *Writings* (Fitzpatrick), 15:11–12.

[2] JCC, 14:567. Washington had also sent to Congress a lengthy report to him from Col. William Davies and Lt. Col. Robert H. Harrison, commissioners he had appointed to negotiate a cartel for the exchange of prisoners of war, which is in PCC, item 28, fols. 1–32. See also Jay to Washington, March 5, note 2, and June 4, 1779, note 2.

John Jay to George Washington

Sir, Philadelphia 10th May 1779

Enclosed is a Copy of a Letter from the minister of France to Congress of the 9th Inst. and of an act of this Day expressing the Sense of Congress that your Excellency consider yourself at Liberty to direct the military operations of these States in such manner as you may think expedient.[1]

The Intelligence conveyed by the Letter from the minister is important, and may occasion alterations in the Plan for the ensuing Campaign. Congress confide fully in your Excellency's Prudence and Abilities; and I am directed to signify to you their wish, that neither an undue Degree of Delicacy or Diffidence may lead you to place too little Reliance on your own Judgment, or persuade you to make any further Communications of your Designs than necessity or high Expedience may dictate.

I have the Honor to be with the greatest Respect & Esteem, Your Excellencys most obt. Servt,

John Jay.

RC (DLC: Washington Papers).

[1] *JCC*, 14:568. The French minister's two letters to Congress of May 9 are in PCC, item 94, fols. 194–204; and Wharton, *Diplomatic Correspondence*, 3:161–62. Gérard reported that he had just learned of the comte d'Estaing's plans to return to the North American coast and wished accordingly to begin preparations for the arrival of the French fleet. Congress was evidently seeking to avoid direct involvement in planning for d'Estaing's return and, although Gérard had already discussed the subject with the general during a recent visit to his headquarters, wished Washington to understand that he was to take full responsibility for coordinating operations with the French forces. In a May 11 report to the comte de Vergennes, Gérard discussed his hope that the return of the French fleet would renew American confidence in the alliance and improve his relations with the delegates. Meng, *Gérard Despatches*, pp. 634–35.

Samuel Adams to James Warren

May 11th—79

My dear Sir

Mr. Hodgson forwarded to me your Letter of April.[1] I thank you for the Concern you express for my Health. It is a Blessing which I have less enjoyd the Winter past than in any equal Part of my Life—I hope by the Blessing of God to recover it when I may have the Pleasure of living in my own Country.

We have had on the Carpet Questions relating to our Ministers abroad—Whether they should be recalled—It was agreed that the Question be put severally with Respect to Each—A Majority of Voices were against the Recall of Doctor Franklin, though some Gentlemen spoke warmly aginst him—*That* for the Recall of Dr. Lee met with an equal Division & so it was lost. I will only remark to you that after long Debates, in which as great Freedoms, I suppose were used as could be consistently with Decency and Truth; his Abilities, his Integrity & warm Attachment to America remain unimpeachable. It is unfortunate when Attempts are made to remove a Servant of the Publick, whose Fidelity shines the brighter, the more his Conduct is sifted, but so it will happen, when others wish to supplant him. I do not say this is the Case at present—I hope there is no Motive more unworthy; but I will not answer for all among the Thousands in America, who may conceit themselves fit for important Trusts, and some of them may shortly offer themselves with a View of serving such Purposes as may not be agreable to others. I suspect from a Letter which I have heard publickly read[2] that our Friend J.A. is or will be as obnoxious to a Party as Dr F. & Dr Lee, and for the same Reason—But I will tell you all when I see you. Pray inform Mr. Story that his Petition is refered to the Treasury and that I expect it will have a favorable Issue.[3] Be so good as to let Mrs. A know that I am well, but have not Time to write to her now. Adieu my Friend. Yr affectionate,

S.A.

RC (MHi: Warren-Adams Papers).

[1] Adams was apparently referring to Warren's letter of March 30 in which he had expressed great concern about reports of Adams' ill-health. *Warren-Adams Letters*, 2:96–97. No Warren to Adams letters in April have been found.

[2] Adams may have been referring to Ralph Izard's September 12, 1778, letter to Henry Laurens, which had been read in Congress on December 7, 1778, and was the only piece of evidence cited against John Adams by the Foreign Affairs Inquiry Committee in their report of March 24, 1779. John was charged by Izard and the committee with threatening Izard "with the displeasure of Congress in his opposing the 11 and 12th articles of the Treaty of Commerce." *JCC*, 12:1197, 13:368. Izard's letter is in PCC, item 89, fols. 90–97; and Wharton, *Diplomatic Correspondence*, 2:710–14.

[3] William Story's petition requesting an increase in salary as clerk of the Eastern Navy Board was referred to the Board of Treasury, which favorably reported on it to Congress on June 12. Congress, however, recommitted it to the Board of Treasury. *JCC*, 14:544, 735–36.

James Lovell later reported that the Board of Treasury was ordered to "direct the Navy to a Sum more adequate than heretofore, but in a Way that may not draw on other Applications in necessary Consequences." See Lovell to Samuel Adams, June 16, 1779.

William Carmichael to Charles Carroll of Carrollton

[May 11? 1779][1]

Mons. Girard informs us by order of his Court, of the hostile intentions & preparations of the british court, which is confirmed by the intelligence we receive from Gen. Washington. We are informed that 4000 men are embarked at NY & sailed from thence the 5th instant supposed for Georgia. The General also speaks of expected reinforcements & seems to think it will be necessary to draft the militia in order to compleat the quotas of the different States. We have intelligence that the Enemy have planned an expedition from Canada ag[ains]t the frontiers of NN,[2] N. Jersey & the northern parts of this state; their force to consist of 1500 regulars besides Canadians & Indians.

We have the strongest assurances that words can convey of the support of France, and I know *that their best exertions will be employed to harass the enemy in our part of the world this year.*[3] A Company of Bankers has been formed at Paris to pay the interest due in Europe on money borrowed here, so that one fund is on a permanent footing, & we have the King's assurances that he will do everything that he can in his present situation to assist [us &] restore the credit of our finances.[4]

Tr (MdHi: Carroll Papers). In the hand of Charles Carroll of Carrollton. This extract from Carmichael's letter is copied into Charles Carroll of Carrollton's letter of May 15, 1779, to Charles Carroll, Sr.

[1] This date has been assigned because Charles Carroll of Carrollton mentions Carmichael's letter in the context of papers he had received from Pennsylvania "by yesterday's post," and because Carmichael also wrote a letter to Thomas Johnson dated May 11, which was probably conveyed by the same post.

[2] Apparently a slip of the pen, where "NY" was intended.

[3] In his May 15 letter to his father in which this extract is found, Carroll explained that "the words underlined, are also underlined in his [Carmichael's] letter."

[4] Carroll's correspondence is a rich source for the study of Congress, not only because it contains references to a number of letters from Carmichael that do not survive, but also because it contains letters to Carmichael from Carroll, such as the following, discussing issues before Congress during this period from the perspective of a former delegate.

"What you say about the army is truly alarming," Carroll responded in a long letter of May 31. "A Subsidy from France would put a stop in some degree to these discontents, which I suppose arise principally from the badness of their pay—but a subsidy alone will not do I fear; the true Patriot's scheme must be adopted at last: Taxation in the present urgency of the evil is too slow and languid a remedy.

"Your talking of ultimatoms *now*, is somewhat out of season: is it not? I do not like the Mobbs you speak of, and for the reasons you quote from de Retz. These rapacious monopolisers, and Engrossers, are a Detestable Race: they aggravate the miseries we experience. I wish laws could be devised to reach them, without occasioning as great or greater mischiefs. I can think of none that will be effectual, and not in other respects very exceptionable: the root of the evil lies in the quantity of money, and its depreciation arising from that, & other causes.

"The ostensible motive of these Mobbs is the punishment of Monopolisers &c: what do you think to be the real one?" General Manuscripts Collection, NjP; and Burnett, *Letters*, 4:238-40.

William Carmichael to Thomas Johnson

Philadelphia, May 11th 1779

Sir

I hoped we should have been able last week to have sent the further supply of money requested by Your Excellency in your Letter of the 30th Ulto.[1] We obtained the warrant for 800000 dollars on Wednesday last, but the State of the treasury is such, that altho' we have been very importunate with the Treasurer it hath not been in his power to satisfy our demands. This week However we are promised the Money which shall be immediately forwarded to Your Excellency properly escorted. The extracts you did me the honor to inclose me enabled me to urge with the Board of Treasury the necessity of giving directions to the Treasurer to pay the warrant in favor of our State, in preference to many of a prior date, & silenced the clamors of some who alledged that the Commissioners imployed by the State to purchase, had raised the Price of flower. Inclosed is an extract of a Letter which contains some intelligence of the Enemies motions, necessary for Your Excellency to be informed of.[2] There is no doubt that they mean to prosecute The warr vigorously this campaighn. The Minister of France informed us of this circumstance a few days ago, with the Strongest assurances of the King his Masters intentions to support us at every hazard, and even in preference to every view of conquest which might aggrandise himself. We have also the satisfaction to learn that a Company of Bankers has been instituted at Paris under Royal authority to pay the interest of the money borrowed here which was payable in Europe, & I [f]latter myself that this is not the *sole* purpose for which this company was instituted. General Washington has pressed Congress strongly to take Effectual measures to induce the States to fill up their respective quotas & even recommended the mode of drafting from the Militia. I hint this to your Excellency, because it is probable, that the arrival of an expected reinforcement to the Enemy, may Oblige Congress to address the States on this Subject.

I have the honor to be, With much respect, Your Excellencys Most Obliged & Most Humble Sevt. Wm. Carmichael

RC (MdAA: Red Books).

[1] See the letter of the Maryland Delegates to Johnson, this date.

[2] Not found, but see ibid., note 3.

Committee of Congress to John Chaloner

Sir, Philaa. 11th May 1779

We desire you to give us to Morrow Morning as exact a Return as you can of the Flour and Salt which you have on Hand. Specifying the Plans where it is deposited and the Quantities at each Place. We desire also an Estimate as good as you can make of the Quantity of Salt which you will want untill the 1st Day of December next.

We are Sir, Your most obedient & humble Servants,

Gouv Morris

Wm. Whipple

John Armstrong

[*P.S.*] We do mean to comprehend the Stores in the Eastern Department.

RC (PH: Chaloner & White Papers). Written by Morris and signed by Morris, Armstrong and Whipple. Addressed: "Mr. Chaloner, Philadelphia."

John Fell's Diary

Tuesday May 11th [1779].

Commercial Committee. Congress. Mr Franceys Memorial Relating to Mr Beaumarsh Read after some debate agreed to a Committee of five to consider and Report thereon vizt. Laurens, Smith, Carmichael, Dickinson, Searle.[1] Letter from Genl De Portail Respecting West Point &c. Report from the Board of Warr respecting Enginears Genl Deportail appointed Commandant of the whole. A number of other Reports and appointments, in different departments read and agreed to. The Minister of France told the President, if Congress would write to the King,[2] for the Purpose, he would send Clothing, &c for the Army to be Paid for after a Peace, A Noble generous Offer. PM Marine Committee.

MS (DLC).

[1] For further information on Jean Thèveneau de Francy's May 7 letter and his long memorial on the claims of Caron de Beaumarchais, see *JCC*, 14:690-92; and John Jay to Benjamin Franklin, June 18, 1779. A copy of this "Memorial on Mr. Beaumarchais's Affairs" is in the Laurens Papers, no. 9, ScHi.

[2] See John Jay to the King of France, July 10, 1779.

Samuel Holten to the Massachusetts Council

Philadelphia May 11th, 1779.

Sir,

I have the honor of inclosing the Journals of congress for the month of Janur. last, and was in hopes to have been able, before this time, to have furnished the honble. court with the Journals weekly, but the several printers in this city have been very much engaged.

By the best intelligence, from New York, I believe a fleet have sailed from thence, not many days since, with four or five thousand troops, whether to the West Indies, Rhode Island, or Georgia is uncertain, but I believe, it is most probable the latter.

By a late expedition into a settlement of the Onondaga Indians, we have, I understand, destroyed one of their principal settlements, but not having the particulars before me, beg leave to refer you to the public prints.

Last week congress received a letter signed by his most christian majesty, under the great seal of his state, informing his great & good allies (as he expresses it) the congress of the united states, of the birth of a princess, being his first issue, and congress has in a formal manner noticed the same.

Congress having been informed, that such is the state of health of General Lincoln (not from the General) that it was become necessary, that he should be permitted to return from that hot climate, to the northward, so that his country, may not be deprived of his future services in a climate more agreeable to his constitution, And have given permission accordingly.

I have no further intelligences of a public nature worthy the attention of the honble. Board, that I am at liberty to communicate.

I have the honor to be with the greatest respect, Sir, your most obedient servt.

S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "The honble. the president, of the council of Massa. Bay."

John Jay to Certain States

Sir, Philadelphia 11th May 1779

Under cover with this your Excellency will find Copies of two Acts of Congress—One of the 5th & the other of the 7th Inst. The former was passed in Order to facilitate the Settlement of the late Commissary General Trumbull's & other public Accounts[1]—The latter respects the defence of the State of Rhode-Island & Providence Plantations, to which important Object, Congress have no doubt that due attention will be paid.[2]

I have the Honor to be, With Respect & Esteem, Your Excellency's Most Obedt. Servant.

LB (DNA: PCC, item 14). Addressed: "To Governor Trumbull. N.B. The like verbatim to Presidents Weare & Powell."

[1] *JCC*, 14:550-53. For earlier efforts made to reach a decision on the settlement of the accounts of Joseph Trumbull, see Henry Laurens to Jonathan Trumbull, Sr., October 16, note 2; and Richard Henry Lee to Jonathan Trumbull, Sr., November 2, 1778.

Jay also sent copies of this resolve to Gov. George Clinton and Pres. Joseph Reed. His cover letter to the former is dated May 10; to the latter, May 12. PCC, item 14, fols. 98, 106.

[2] See Rhode Island Delegates to William Greene, May 8, 1779, note 3.

Henry Laurens to John Laurens

My Dear son, Philadelphia 11th May 1779.

My last Letter to you was under the 4th Inst by Doctor Read. I have received none from you since that which you favored me with from Baltimore.

You will learn divers branches of Intelligence from Governor Rutledge & Mr. Gervais—Our Commissioners, Colonel Davis & Colo. Harrison met those appointed by Sir H. Clinton at Amboy for settling a general Cartel & tariff for the exchange of Prisoners[1] & after having experienced the usual chicanery & artifice of the British Agents speaking the language of their Instructers, return to Head Quarters abortive as to the main business—their proceedings will in a few days be published & I am persuaded the World will be pleased & satisfied, with the part acted by Colo. Davis & your freind[2]

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] See John Jay's second letter to Washington of May 10, 1779, note 2.

[2] Remainder of RC missing.

Maryland Delegates to Thomas Johnson

Sir, Philadela May 11th 1779.

We should have sent by Col. Hyde a larger Sum than five hundred Thousand Dollars had not the Demands on the Treasury been so pressing and of such a Nature as to render it impossible. We have now a Warrant for the further Sum of eight hundred Thousand Dollars, the greater part of which if not the whole, we expect to send forward to you in the course of this week.[1] This supply we hope will enable your Excellency to prosecute with success, the purchase of Flour &c for the Army.

General Washington at this time stands in need of heavy Cannon, for the further Defence of the North River, and the Necessity of being immediately supplied with at least five pieces, has induced Congress to apply to our State, for such Cannon as can be spared either on Loan or purchase, at the Election of the General Assembly.[2] Under the circumstances of this case, and knowing the Necessity, we cannot suppose the General Assembly (if you have not power already) can have any objections against granting the request of Congress. If you should lend the Cannon, Mr. Hughes who has now contracted with Congress for a considerable Number, will be directed to send to Annapolis or such place as you may direct, the like number and weight of metal, with those that shall be lent by the state.

Your letter of the 30th Apl does not clearly express in what way the Emissions of May and Apl. came into the State Treasuries. If by Taxes for the Continent, there can be no doubt but you may send, as soon as it is convenient, the several Sums in those Bills to the Continental Treasury; for the Resolves of Congress are express that they shall be received for Debts and Taxes into the continental Treasury and into the State Treasury for continental Taxes untill the first of June. If they came in on any other ground than for a continental Tax (altho not strictly within the Resolves of Congress), yet we think the State may, and we are of opinion you ought or it will be advantageous to the State, to consider them as brought in, in that light; And when the continental Tax is actually raised you may then reimburse the State Treasuries. Congress as they have no Authority, so they never will inquire into the manner by which the State has raised her quota. If however the Emissions alluded to above, were not expressly levied for Continental Taxes, and you do not, as we conceive you may, consider them in that light, no way is open but to throw them into the Loan office, either on Loan or to be exchanged, the former of these alternatives we do not approve of and the latter will deprive the State of the use of the Money for some Time.

Mr. Harwood's power as a continental Loan officer extends no further than to receive these Emissions either on loan or to be exchanged, we therefore think he did right in not receiving them in the way you proposed to him.

Enclosed you have Extracts of Letters from the General.[3] They were received yesterday and will be sent by the president to you, but least his Copy should miscarry, we have thought it proper to send you the one enclosed—their Destination is not known. To rescue the Troops of Burgoyne may possibly be part of their object, tho' the prevailing opinion is, that their main design is farther South.

best copy available

We are Sir with highest Respect and Esteem your obt & hble Servtes,

Geo. Plater John Henry

Wm. Paca Dan of St Thos Jenifer.

[*P.S.*] The Board of War desire to know the Condition & Price of the Powder—if they like the latter, a Person will be sent down to examine the State of it, & close the Bargain.

RC (MdAA: Red Books). Written by Henry and signed by Henry, Jenifer, Paca, and Plater. Postscript added by Jenifer.

[1] See *JCC*, 14:556. Three letters of April 21 from the Maryland Council—to Congress, to the Maryland delegates, and to William Hyde—concerning the procurement from Congress of "upwards of £200,000" for purchasing flour in Maryland, are in *Md. Archives*, 21:357-59. For the council's April 30 follow-up letter to its delegates concerning Colonel Hyde's mission, see also ibid., pp. 374-75.

[2] See Daniel of St. Thomas Jenifer to Johnson, May 9, 1779, note 2.

[3] These extracts were taken from General Washington's May 7 letter to Congress and its two enclosures reporting the recent embarkation of about 4,000 British troops from New York, presumed to be destined for Georgia or the West Indies. See Washington, *Writings* (Fitzpatrick), 15:11-12. A fourth enclosure consisted of a report on a recent expedition against the Onondagas in New York, for which see John Jay's second letter to Washington of May 10, 1779, note 1.

John Fell's Diary

Wednesday [May] 12th [1779]

Coml Committee. Congress. Letter from Mr Bingham at Martinica. Letter from the first Lieut of the Dean Frigate, Proposing a Plan to goe to the Island of St. Johns, Referred to the Marine Committee to take order thereon. Order of the Day on the ultimatom of the Fishery. Long debate and several amendments Propos'd.

MS (DLC).

Elbridge Gerry to John Adams

My dear Sir, Philadelphia May 12 1779

Our worthy Friend, Mr Dalton of Newbury Port will inform You of the Loss of the Brigantine *Fair Play* & the Circumstances attending that unhappy affair,[1] together with a Copy of the Letters addressed by the Governor of Guadaloupe & the Seiur Gerard to the Minister of the Marine of France, & by the Massachusetts Delegates to the Hona Mr Franklin on the Occasion[2]—the Letters will shew the Desire of the Writers that the Sufferers may receive Compensation for the Loss of their Property, & should You concur in opinion & use your Influence to promote this Measure, it will be considered as an obligation conferred on sir your sincere Friend & most obedt servt, E. Gerry

RC (MHi: Adams Papers).

[1] The question of recompense to Tristram Dalton for the *Fair Play* dragged on for years, despite the aid of the American ministers in securing an order from the French king to make "reparation from the Chest at Guadaloupe." See Adams, *Family Correspondence* (Butterfield), 3:420.

[2] See Massachusetts Delegates to Benjamin Franklin, this date.

John Jay to Richard Caswell

Philadelphia 12th May 1779

Sir,

I have the honor to transmit to your Excellency herewith enclosed a copy of an Act of Congress passed the 7th Inst, providing for the further defence of South-Carolina & Georgia.[1] By it You will perceive that the Recruits lately raised & raising in Virginia to compleat that States quota of Continental Troops are ordered to join the Southern Army—And that four of the Continental Regiments of North-Carolina are also to be employed in the Southern Service.

I have the honor to be, with great Respect, Your Excellency's most Obed. Servt.

LB (DNA: PCC, item 14).

[1] See South Carolina Delegates to John Rutledge, May 7, 1779, note 1.

John Jay to Louis Le Bègue de Presle Duportail

Philadelphia 12th May—1779.

Sir,

I have the pleasure of transmitting to You herewith enclosed a Copy of an act of Congress of the 11th Inst, ascertaining the Pay & Subsistence of the Engineers, Sappers, & Miners, and appointing You Commandmant of those Corps.[1]

I have the Honor to be Sir, With Respect & Esteem, Your most Obedt. & Hble Servant

LB (DNA: PCC, item 14).

[1] *JCC*, 14:570-71. See also these *Letters*, 9:722-23; and Paul K. Walker, *Engineers of Independence: A Documentary History of the Army Engineers in the American Revolution, 1775-1783* (Washington: Office of the Chief of Engineers, 1981).

John Jay to Thomas Johnson

Philadelphia 12th May—79[1]

Sir,

As it is of importance that the Operations of the Enemy should be known to every State which may be particularly affected by them, I now transmit to your Excellency a copy of a Letter from General Washington respecting a late embarkation of Troops at New York.[2] Their destination is uncertain, but it is generally supposed they are bound to the Southern part of this Continent.

I have the honor to be, With Respect & Esteem, Your Excellency's, Most Obedt. Servant, John Jay, Presidt,

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RC (MdAA: Red Books). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] The copy of this letter in Jay's letterbook is dated May 11. PCC, item 14, fol. 104.

[2] See Jay to Patrick Henry, May 10, 1779, note 2.

John Jay to George Washington

Sir, Philadelphia 12th May—1779.

Copies of three Acts of Congress are herewith enclosed—One of the 11th Inst, ascertaining the Pay & Subsistance of Engineers, Sappers, and Miners, & appointing Brigadier General Du Portail Commandant of those Corps[1]—Another of the 12 Inst appointing Coll. William Irwin a Brigadier for Pennsylvania[2]—And the third of the 12th Inst, for accepting the Resignations of Lieutenant Vallance, and Ensign Brush of Coll. Warner's Regiment.[3]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient And Humble Servant.

John Jay, Presid

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See Jay to Duportail, this date.

[2] Col. William Irvine of the Seventh Pennsylvania Regiment received the promotion as a result of Pennsylvania's complaint that considering the number of Pennsylvanians in Continental service the state did not enjoy its proper share of general officers. As a result of the inquiry conducted into the state's January 20 memorial on the subject, Congress resolved on May 11 that Pennsylvania was indeed entitled to an additional brigadier, and Irvine was appointed the following day. See *JCC*, 13:117, 14:574–78, 580; PCC, item 69, 1:567–82; and *Pa. Archives*, 1st ser. 7:162–63. See also Thomas Burke to Timothy Matlack, May 4, 1779.

[3] For the Board of War's recommendations on the resignation of Alexander Brush and David Vallance, see *JCC*, 14:579; and PCC, item 148, 3:311.

John Jay to George Washington

Dear Sir Philadelphia 12 May 1779

Mrs. De Lancey[1] will be the Bearer of this Letter. When Philadelphia was evacuated, she went round with the Fleet to New York; and left it last October, so circumstanced, as to bring out but very little of her wearing apparel. She is anxious to obtain Permission to send for the Remainder. The Request appears to me reasonable, and therefore I take the Liberty of recommending it to your Excellency's Attention.

My former Respect for Mr. De Lancey's Family, my Intimacy with some, and the gratitude I owe to several of them, will uniformly induce me to promote their welfare & Happiness, in every way consistent with the higher obligations due to Justice & my Country.

These Considerations, added to those which Humanity suggest, and both advocated by the Distress of a fine Woman, will I am persuaded have weight with your Excellency, and will lead me to consider myself obliged by every Mark of Kindness and attention shewn to this Lady.

I have the Honor to be with perfect Esteem & personal Regard, Your Excellencys most obedient Servant, John Jay.

RC (DLC: Washington Papers).

[1] Margaret Allen DeLancey, daughter of the Pennsylvania loyalist and former chief justice William Allen and wife of New York loyalist James DeLancey (1732–1800). *DAB*. For Washington's equivocal response to Mrs. DeLancey's request for permission to arrange the return of her clothing, see Washington, *Writings* (Fitzpatrick), 15:161–62, 273.

Henry Laurens' Notes on the Franco-American Treaties

[May 12 or 13? 1779][1]

Article 9th.[2] Abstract.

The subjects & inhabitants of each party shall abstain from fishing in all places possessed or which shall be possessed by the other party. The M[ost] C[hristian] K[ing]'s subjects shall not fish in the Havens, Bays, Creeks, Roads, Coasts or places, which the United States hold or shall hereafter hold.

The Inhabitants of the United States, shall not fish in the Havens, Bays, Creeks, Roads, Coasts or places, which the most Xn. K. possesses or shall hereafter possess.

Transgressions on either side, to forefeit their Ships & Vessels.

It is however understood that the exclusion stipulated in the present Article shall take place only so long & so far as the M. Xn. K. or the United States shall not in this respect have granted an exemption to some other Nation.

Ambiguous, meaning somewhat more than is expressed or meaning nothing.[3]

This part of the Article, acknowledges an *actual* posession of Havens, Bays, Roads, Coasts & Places on each part.

How shall we define, Havens, Bays, Roads Coasts & Places? the only Rule I can discover is, Usage, Prescription, or Possession.

has there ever been a descriptive line drawn within which the Inhabitants of the Provinces of America now of the United States, had been confined by G. Britain.

Yes—an Act of Parliament.

can this claim, be justly stiled contention for conquest or territory? Is not the grand Bank of NFL. one of the Places—which the Americans have as good a right to claim, as they have to claim Independence. does not the 2d Article of the Treaty of Alliance declare "the essential and direct end of the present defensive Alliance is, to maintain effectually the Liberty, Sovereignty & Independence ABSOLUTE & UNLIMITTED of the said United States as well in matters of Government as of Commerce." Is not the Fishery an article of Commerce—is not the Bank of NFL. one of the PLACES where America by Prescription has heretofore gathered & enjoyed the fruits of this branch of Commerce. Is it not stipulated to make effectually & unlimittedly our Liberty & Independence in matters of Commerce? shall we entertain Ideas so degrading to the Honor & Magnanimity of our good & great Ally as to admit a beleif or a suspicion that he will fail of fulfilling every jot & every tittle of his engagements. As well might we suppose that he would give us up a Prey to our Mutual Enemy.

But say Gentlemen, we admit this the claim to a part of the NFL. fishery to be well founded but we are not in force to continue the War, who says the War will be continued in consequence of our just claim might not this argument be applied to every claim of the quiet enjoyment of our ancient possessions.[4]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens.

[1] For this date, see the following entry, which shares with these notes a focus on Articles 9 and 10 of the Franco-American treaty of alliance.

[2] For the text of the ninth article of the Franco-American treaty that Laurens abstracted here, see *JCC*, 11:427–28.

[3] Laurens wrote this sentence in the margin of the MS opposite the preceding paragraph.

[4] Laurens wrote "Article 10th" at the top of the following sheet of this document, but the remainder of the page is blank.

Henry Laurens' Proposed Resolution

[May 12 or 13? 1779][1]

That the most strenuous efforts be used for obtaining an acknowledgement on the part of Great Britain of a common right in these States to fish on the Banks of N. F. Land & Gulph of St. Lawrence, the Coasts of Labrador & Streights of Bell Isle, and that in no case by any treaty of Peace the common right of Fishing in those places be given up. If such acknowledgement cannot be obtained, all the rights of Fishery designed by the 9th and 10th Articles of the Treaty of Commerce between France & these States are to be required & insisted on, And also to require & insist that these United States shall be intitled unto & enjoy in common with their Ally such other & further rights & benefits in the American Fisheries as may or shall be ceded to their said Ally by any Treaty of Peace or any other Treaty between them & the Court of Great Britain over & above such rights in the said Fisheries as our said Ally were restricted to by the Treaty of Paris of 1763.

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Proposed article on Fisheries Ultm."

[1] Little evidence has been found to indicate precisely when Laurens drafted this resolution concerning the right of the United States to the northern fisheries. The subject had been the focus of debate in Congress during a number of sessions in March, and the delegates returned to the issue in the course of debates on the "ultimata" on May 8, 12, 13, and 27 and June 3, 1779. The May 12–13 date has been suggested here primarily because the volume of Laurens' papers containing this draft resolution also includes copies of two draft substitute motions concerning the fisheries offered at that time by Gouverneur Morris (on May 12) and by Elbridge Gerry (on May 13) respectively. See *JCC*, 14:581, 586–87; and Burnett, *Letters*, 4:211n.2. But for Laurens' involvement in the debates on the fisheries issue, see also Laurens' Proposed Resolution, March 22; and Laurens' Notes of Debates, May 8 and 27, 1779.

Massachusetts Delegates to Benjamin Franklin

Philadelphia May 12th. 1779

Sir

The Papers enclosed will inform You of the unfortunate Loss of the American Brigantine Fair Play, with 18 of her Crew on the 5th Jany last, by the discharge of the Cannon of a two Gun Battery near Port Louis in Guadaloupe.[1]

The Governor of the Island, thinking it reasonable that the Owners should receive a Compensation for their Loss, recommended it to the Minister of the Marine of France, in a Letter whereof a translated Copy is enclosed, but the Captain of the Brigantine having neglected to take Duplicates of the Letter, rendered it necessary for the Owners, of whom Tristram Dalton Esqr. of Newbury Port in Massachusetts Bay was one, to take additional Steps for the recovering of their Interest. We think it adviseable for Mr. Dalton to obtain a Compensation in the Way proposed by the Governor of Guadaloupe, rather than by making a Claim thro' Congress on the principle of Right. As the Letter may require time, and produce an Altercation, neither agreable to the Court of France nor Congress and as We have no Reason to suppose that there was any Design in the Commandant of the Fort to insult the Flag of the United States or injure the property or Persons of its Citizens.

Having stated the Facts We submit to your Determination the Measures proper to be pursued & remain, Sir with great Respect your, most obedt & very hum Servts.

S. Adams E. Gerry
S. Holten James Lovell

RC (PPAmP: Franklin Papers). In a clerical hand, and signed by Adams, Gerry, Holten, and Lovell.

[1] See Elbridge Gerry to John Adams, this date, note 1.

Charles Thomson to Alexander McDougall

Sir Philadela. May 12th. 1779

I have received your letter of the 3d with the enclosed copy of a resolution of Congress passed 27th Feby 1778, and have to inform you that Congress has passed no act or resolve for repealing it and consequently it remains in its original force.[1]

I am Sir &c, Chas Thomson

FC (DNA: PCC, item 161). In a clerical hand.

[1] In his May 3 letter to Thomson, General McDougall had explained that there were several persons "under Sentence of Death" who had been tried by the provost at his post under Congress' resolution of February 27, 1778, which had prescribed the death penalty for kidnapping and a number of allied activities in order to curb the marauding of British irregular forces. Because the resolve had not been widely distributed and many persons in New York remained "totally ignorant of such an Act," he went on to state, he had delayed carrying out the executions until he could determine if it was indeed still in force. PCC, item 161, 1:101-2.

John Fell's Diary

Thursday 13th May [1779].

Commercil Committee. Congress. This day spent in very triffling debate. PM Marine Committee.

MS (DLC).

John Fell's Diary

Friday May 14th [1779].

Congress. Letter from Govr. Johnson of MaryLand advising Mr Hollinshead[1] at the Head of Ellk of a Fleet of between 30 & 40 Sail being in Chesapeek Bay. Mr Smith introduced a Paper of Rivingston of the 5th with a Letter said to be wrote by Mr Laurens to the Governor of Georgia. Long debate whether in order or No Yaes & Nayes carried in the Negative.[2]

PM Marine Comm.[3]

MS (DLC).

[1] That is, Henry Hollingsworth.

[2] See Henry Laurens' Speech in Congress, May 15, 1779.

[3] Although Congress met on May 15, Fell noted only in his diary for that day: "Went to Bristol."

William Floyd to George Clinton

Philadelphia May 14th. 1779

Sr.

Congress finding that they Cannot Get the Journal printed So Soon as they Could wish in the mode heretofore adopted, have Employed a printer to begin at January, and print them up as Soon as possible, and from April to have them printed weekly. The Inclosed is the first that is come out. I do my Self the pleasure to Direct one for the Honble. President of Senate and one for Mr. Speaker.

All matters of a Secret nature are put on a Separate Journal and will not be printed untill the war is Ended.

I expect you will be Surprised when you find on the Journal so many things that are not of the Greatest Importance. And Do not find that Any thing has been Done with Respect to Vermont. But I hope Mr Jay in his Correspondence with you has given you the Reasons why that matter has been So Long, and so unexpectedly Delayed.[1]

We now hear that 20 Sail of Ships are arrived at the Capes of Virginia Supposed to be those Sailed from New York last week, we cannot yet find out their Intentions—But we are under Great apprehensions for South Carolina; though Some think they Intend Coming up Chesepeek Bay, to attempt the Relief of Burgoyns Troops.

For the News of this place I must Refer you to the Bearer Mr. Scott Junr., and am Sr your most Obedt. humble Servt. Wm Floyd

RC (NN: Emmet Collection).

[1] See John Jay to Clinton, May 22, 1779, note.

James Duane to George Washington

Philad. 15h May 1779.

Dear Sir,

I find myself under the Necessity of expressing my wishes that it may be agreeable to your Excellency to transfer the non commissioned officers and Privates, Citizens of New York, late of Col. Malcolm's Regiment, to one of the Battallions of that State. After the Resolution to the same Effect in favour of the Pensylvania Companies,[1] of which at the time I much disapproved, it is difficult to assign any good Reason for a distinction among Troops of the same Corpse, & under Circumstances altogether similar: and we may be censured for not attempting at least to put them on an equal Footing. However had not the Men expressed so much dissatisfaction at being constrained to serve in the reformed Battallion, after so many of their officers had retird I shoud have been silent for your Excellency will do me the Justice to believe that I do great violence to my Feelings & to the Maxim I have endeavor'd to inculcate when I in the most distant Degree interpose in a matter to which you alone, from a thorough knowledge of all it's Consequences, are competent. I am uncertain whether a formal Act of Congress is necessary, I rather presume your Powers are adequate: but however this may be, from a Reluctance to embarrass you on any Occasion, I shoud not reconcile it to myself to take any Step to accomplish this transfer without having previously consulted you.

If the Obstacles are important in your Opinion, I flatter myself that the State of which I am a Citizen will be contented, from the unreserved Confidence they Justly repose in your wisdom, Impartiality and attention to the general Interest, as well as from the lively Sense they entertain of your unwearied Exertions for their own more immediate Protection.[2]

I have the Honour to be, with every Sentiment of Respect and Affection, Sir, your Excellency's most Obedient & very humble Servant,

Jas. Duane

RC (DLC: Washington Papers).

[1] See Connecticut Delegates to Jonathan Trumbull, January 4, 1779, note 4.

[2] For the objections Washington expressed to such a transfer in his May 26 reply to Duane, see Washington, *Writings* (Fitzpatrick), 15:157–58.

John Jay to Benjamin Lincoln

Sir, Philadelphia 15th April [i.e. May] 1779.[1]

I have the Honor of transmitting to You Copies of two Acts of Congress—One of the 17th March,[2] permitting You to return from the Command of the Southern Army—the other of the 13th Instant, appointing Brigadier General Moultrie Commander of it in your absence, and during it's continuance to the Southward of North-Carolina.[3]

I have the Honor to be Sir, With Respect and Esteem, And the best wishes for the Recovery of your health, Your most Obedient And Humble Servant,

John Jay, President

RC (MHi: Lincoln Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] In Jay's letterbook, this letter is correctly dated "15 May 1779." PCC, item 14, fol. 108.

[2] That is, April. See Jay to Lincoln, April 17, 1779, note 1. Although Congress resolved on April 17 to relieve Lincoln, Jay failed to notify him officially of this fact until a successor had been named, for which see the following note.

[3] Congress' appointment of William Moultrie to succeed Lincoln was something of a compromise, for although there was support for appointing him to the southern command, his promotion to major general, a rank normally associated with command of a department of the army, prompted objections from states having brigadiers with seniority claims that conflicted with Moultrie's. See *JCC*, 14:585–86.

John Jay to William Moultrie

Philadelphia 15th May 1779

Sir,

Major General Lincoln's ill state of health has induced Congress to permit him to retire from a Climate, & a Service unfriendly to it's Recovery. I have now the Honor of transmitting to You a Copy of an Act of the 13th Inst, appointing you Commander of the Southern Army in his Absence, during it's continuance to the Southward of North-Carolina, & until the further Order of Congress.

Accept my best wishes that this appointment may be productive of fresh laurels and that You may again be instrumental in encreasing the honors & Security of your Country.

I have the honor to be, with great Respect & Esteem, Your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

John Jay to Jeremiah Powell

Philadelphia 15th May 1779

Sir,

I have the honor of transmitting to You herewith enclosed, a copy of a Memorial from Mr Austin with a copy of an Act of Congress of the 13 Inst. on the Subject of it.[1]

I am Sir, With great Respect, your most Obedt. & Hble Servt.

LB (DNA: PCC, item 14).

[1] For the claim of Jonathan Loring Austin and Congress' resolve requesting the Massachusetts Council to determine the "proper allowance" to be made to him, see *JCC*, 14:567–68, 581–82, 776; and PCC, item 41, 1:39–42, item 85, fols. 171–72.

John Jay to George Washington

Philadelphia 15th May—1779.

Sir,

Major General Lincoln's ill state of health has induced Congress to permit him to retire from a Climate unfriendly to it's Recovery. Your Excellency will perceive by the enclosed Copy of an Act of the 13th Inst, that Brigadier General Moultrie is to take the Command in his absence under certain Restrictions.[1]

I also transmit a copy of a Letter from Governor Johnson to Coll. Hollingsworth[2]—And am, With the greatest Respect & Esteem, Your Excellency's Most Obedient Servant, John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See Jay to Benjamin Lincoln, this date.

[2] For Thomas Johnson's May 12 letter to Henry Hollingsworth on the presence of British vessels in Chesapeake Bay and the measures ordered by Congress to prevent the capture of stores in the region by enemy forces, see *JCC*, 14:589-90. Jay also sent copies of this letter to Gov. Caesar Rodney of Delaware and Pres. Joseph Reed of Pennsylvania this day. PCC, item 14, fol. 107.

Henry Laurens' Speech in Congress

Mr. President 15 May 1779

The motion which was made yesterday[1] by one of the Honble Delegates from Virginia for reading a presumed Copy of a Letter said to have been written by me & printed in the Garrison of the Enemy on New York Island & for calling upon me to declare whether I had written such a Letter appeared to me, to be irregular, unprecedented, & full of dangerous consequences—derogatory to the Honor & dignity of Congress & alarming to the free & Independent Citizens of these United States—thence arose those cautions & admonitions, which a sense of duty prompted me to offer to the House while the subject was under debate & I rejoice in that Wisdom which was displayed by the House in overruling the attempt.

Sir. Had the Gentleman who made the motion called on me & in proper terms enquired whether the printed Letter was a Copy of an original Address from me to Governor Houston I would have given him all the satisfaction that could have been desired by any Man of true honor.

And now Sir—As—If I have been guilty of aught criminal—or have inadvertently expressed any thing amiss in my correspondence as a private Citizen, with Mr. Houston, I would rather receive a Censure or a reproof from Congress than be charged with a want of Candor or commit my conduct to the whispers of malice—I take the liberty of informing Congress that I did on the 27th August last write a private Letter to Governor Houston.

If the House shall judge it proper to determine by a Vote that they may of right demand a Copy of that private Letter & shall in consequence of such Vote call on me. Or if Congress shall be pleased by a Vote to direct their President in writing to request me to lay before them a Copy of that Letter I will in either case produce a genuine & true Copy, reserving to myself in the mean time the Privilege of voting as I certainly should vote if I were not a party concerned.

I confide in the candor of the House to order this address to be entered on the Journal & if the House shall be pleased to call for or request a Copy of my Letter I shall expect that will also be entered on the Journal.[2]

MS (DNA: PCC, item 89). In the hand of Henry Laurens and endorsed by Charles Thomson: "Paper read by Mr Laurens in his place May 15, 1779. Ordered to be entered on the journal."

[1] Laurens' delivery of this speech was actually an extension of the previous day's debate on a motion by Meriwether Smith designed to embarrass Laurens. Smith had called attention to the recent publication in James Rivington's *New York Royal Gazette* of a captured letter from Laurens to Georgia governor John Houstoun, and after asserting that it "contained matter derogatory to the honor of Congress" he moved "that the said letter be read, and that Mr. Laurens be called on to declare whether he wrote that letter." Smith's ploy had failed on the 14th on a point of order, but Laurens returned to the subject the following day by reading this speech immediately after the daily reading of the journal. See *JCC*, 14:588-93. For the August 27, 1778, letter from Laurens to Houstoun that was at issue, see these *Letters*, 10:509-11.

[2] For the vote on Laurens' request to have his address entered on the journal and the motion Meriwether Smith submitted in response to Laurens' speech, see *JCC*, 14:593-95; and the following entry.

Henry Laurens' Speech in Congress

[May 15? 1779]

Sir,

I have reserved to my self a right of Voting on this very extraordinary and unprecedented motion[1], not from any apprehensions of inconvenience to my self, because I am sure the contents of my Letter to Govr. Houston, are not only inoffensive but proper, and breath a Spirit of true patriotism and display a becoming Zeal and unshaken attachment to the Interests of these united States. I am confirmed in this opinion from declarations[2] which have been voluntarily made to me by several of the most respectable Characters in this House, that the Letter even as printed in Mr. Rivington's Paper deserves the highest praise with the addition of their wishes that a Copy were sent to the Governor or President of each State. My apprehensions are for the honor & dignity of Congress.

And my present objections amounting to a Protest against the motion are.

Because, it is beneath the dignity of this House to pay attention to such Publications by Printers employed by the Enemy.

Because, the Letter even as published by them contains nothing like Treason, or a design in the party said to be the writer to injure these States or any faithful Citizen of these States.

Because, it would be dangerous and unprecedented to call upon any Member of this House to give up his private correspondencies—or to extort from him his private opinions.

Dangerous, as it would be a direct attempt to deprive the Citizens of these States of that freedom & Liberty ever exercised in Great Britain from whence they have seperated in order to enjoy greater Liberties, and exercised in America even while she was under the dominion of Great Britain.

Unprecedented, Because altho many Letters have been published in the Enemy's News Papers of a criminal nature & said to have been written by the Commander in Chief of the Army & by other persons in the service of the United States, Congress have always wisely treated such Publications with contempt.

Dangerous—because it will give encouragement to the Enemy to bribe Secretaries & Servants to steal the private Letters of Members of Congress and other free Citizens of these States, to hold out even genuine Copies of Letters in order to give improper employment to Congress & to divert them from attending to that Circle of business which it is their duty to pursue.

Already Rivington's Publication has employed Congress two whole days without producing any good effect, which time had been assigned for business of the highest importance, to wit,

I. Concluding an Ultimatum for a Treaty of Peace the delay of which has exposed Congress to oblique if not direct rebukes from the Minister Plenepotentiary of France, & which threatens the loss of our National Character.[3]

2d. The Report from the Committee on the Treasury for appreciating the Value of our Paper circulation the neglect of which, is alarming in the highest degree to every unmasked Citizen within & without this House.

3d. An attention to the safety of a Sister State already greatly distressed and now in imminent danger of being subdued by the Enemy from want of timely and sufficient aid.[4]

I might proceed to shew many other important articles necessary for the safety of our Independence, which demand the immed.[5] but these are or ought to be so strongly impressed on the mind of every Member of Congress, as to induce me to think a further enumeration would be an insult both upon the understanding & the fidelity of Congress.[6]

Because, it is below the dignity of Congress to request in writing a Copy of the private correspondence of any Member of this House or of any other free Citizen.[7]

Dangerous and alarming to the States because it will amount to a prohibition to the Delegates writing their private opinions to their respective States.[8]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens.

[1] For "this very extraordinary and Unprecedented motion [by Meriwether Smith]," and the context of the debate during which it was offered, see *JCC*, 14:593-95; and the preceding entry.

[2] Laurens wrote "declarations" above the line over the word "assurances," but failed to delete the latter from the MS.

[3] At this point Laurens inserted the following note: "Deane &c Infd. 5 Partners."

[4] At this point Laurens inserted the following note: "draughts of Letters to the K of F. Clothing &c for the Army. State of New Jersey."

[5] Laurens inserted "which demand the immed." between the lines, but apparently failed to complete the insertion. Perhaps he intended the passage to read "which demand the immediate attention of Congress."

[6] Beside this paragraph, Laurens wrote the following passage in the margin: "in the same Paper Willing & involvg honor of Congress." This is a reference to a letter from Robert Ross to Thomas Symonds, dated "Pensacola, March 27, 1779"—concerning "the conduct of James Willing, who . . . ravaged the British plantations on the Mississippi"—which was printed by Rivington in the *Royal Gazette* immediately following Laurens' August 27, 1778, letter to John Houstoun.

[7] In the margin: "disgust, many will be disgusted therefore dangerous."

[8] This last paragraph is in the hand of Moses Young. On the verso of this sheet only the following cryptic passage appears: "forgery WHD Sir JW."

For the next episode in this bitter controversy between Laurens and Smith, see Meriwether Smith's Speech in Congress, May 18, 1779.

William Paca to Benedict Arnold

May 15, 1779.

Dear Sir,

As congress cannot possibly comply with your request, the committee can make no report, that will be of any service to you. You cannot have a copy of the report you refer to, nor of the letters which passed between the committees, because, on the late conference and accommodation between congress and the state of Pennsylvania, those proceedings are to cease, and not to be brought again into view or discussion. The whole of the evidence, which relates to the charges on which you are to be tried, is transmitted to general Washington, with the charges, and there is nothing kept back, which you could avail yourself of in your defence.[1] As to the resolutions of the report acquitting you of particular charges, they were founded, you know, on *ex parte* hearing. The committee were obliged to finish the report, and as the executive council, from some difference between their committee and the committee of congress, would not produce the evidence in support of those charges, the committee took up the evidence offered on your part, and passed the resolutions of acquittal; but the executive council and congress having settled the misunderstandings between the committees, and congress not having decided on the report, and the said executive council having offered to produce the evidence before a court martial, the resolutions of the committee can have no operation whatever: when we therefore come to report on your late application, we must report, that your appliction cannot be complied with.

I am, sir, Your obedient humble servant,

W. Paca.

MS not found; reprinted from *Proceedings of a General Court Martial . . . for the Trial of Major General Arnold, June 1, 1779* (Philadelphia: Francis Bailey, 1780), p. 54.

[1] In a letter to Congress of April 26, 1779, Arnold had requested "Copies of all the Papers relative to the Charges against me," on which he was to be tried by a court-martial that General Washington had been ordered to convene. His letter had been referred to a committee consisting of Paca, Thomas Burke, and James Duane, which rebuffed Arnold's request for the reasons stated here by Paca. See *JCC*, 14:513; PCC, item 162, fols. 181-84; and John Jay to Washington, April 12, 1779.

Henry Laurens to John Laurens

My Dear Son, Philadelphia 16th May 1779.

I had the pleasure of writing you a few lines on the 12th Inst. by Colo. Parker.[1]

The Enemy's fleet said to be bound to So. Carolina made a display of upwards of twenty Sail within or nearly within the Bay of Chesepeak on Saturday the 8th of this we learned the 14th since when we have heard nothing more of them, it is probable therefore this appearance was only a manœvre calculated for alarming Virginia & thereby stopping the progress of Troops intended for the aid of So Carolina. Admitting this & there can be no doubt of their being on this day before your door. I had intended to sketch out to you a new scene of persecution from the old quarter—it will occasion triumph, pity & contempt to him they mean to plague, & as they hope, to withdraw—but here's a Gentleman who has a demand on my time & the Express whose departure was concealed from me as usual until the last hour, cannot be detained. Therefore I must defer particulars to another opportunity. My Compliments to all freinds, I can write to none of them by this Messenger for the reason abovementioned.

I pray God to bless & protect you, Henry Laurens.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] Perhaps a reference to Laurens' letter to John of May 11.

James Duane to George Washington

Dear General Philad 17th. May 1779

I am honourd with your Favour of the 3d Instant & have communicated it to my Colleagues. When I wrote to your Excellency respecting the Exchange of Citizens in the power of the Enemy, I did not Attend to the Distinction between Civil and military Prisoners: but conceivd your Authority competent in all Cases.[1] I cannot think it adviseable to leave the Negociation of the Exchange even of Citizens to Commissaries appointed by the several States: it may be productive of Confusion and Mischief, Nor can there be any possible Inconvenience in consulting the Commander in Chief on the Manner & Terms of such Exchange; while it will at least keep up a Consistency & propriety in our Transactions with the Enemy. It can be no Encroachment on the Civil Authority of any State; because a Citizen in Captivity is treated and considerd as a Prisoner of War, and the whole Business on the part of the Enemy conducted in the Military Line. However it is obvious from your Excellency's Remarks that the Concurrence of the State is necessary to remove all difficulties. I shall prepare a Resolution "to authorize the Commissioners of Indian Affairs for the northern Department with the Concurrence of the Commander in ef & the executive Authority of the State whose Citizens respectively l be the Subject of the proposd Exchange, to negociate & Settle the nner & Terms of the Exchange".[2] This will I think answer the present pose, & I hope will meet with Approbation.

have the Honour to be—with the utmost Regard & Esteem, Dear Sir, ır Excellencys most Obedient, humble Servant. Jas Duane

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(DLC: Washington Papers).

See New York Delegates to Washington, April 27, 1779, note 2.

A resolve of similar wording was introduced by Duane and adopted by Congress on May *JCC*, 14:636.

John Fell's Diary

Monday May 17th [1779]

A.M. came to Town. Congress. A number of Letters Memorials &c om Genl Washington, Genl Lincoln, Genl Maxwell, Coll Morgan, Dalware Indians &c &c.[1]

IS (DLC).

[1] This day Congress received a letter of May 14 from Washington enclosing documents em Indian agent George Morgan and a delegation of Delaware Indian chiefs who had onferred with the general at his headquarters at Middlebrook, N.J., on May 12. See Comnittee for Indian Affairs Speech, May 26, 1779, note 2.

Henry Laurens' Notes of Debates

[May 17? 1779][1]

Upon reading Letters [. . . .]

Mr. Gerry arose, said [the lack of supplies?] was greatly owing to the conduct of Officers in the [purchasing?] department who had been guilty of the most barefac[ed frauds; that they had?] enhanced the prices of articles which they were to purcha[se inducing people to?] demand higher prices than they had at first asked, even [. . .]. That it was their interest to do so.

That Congress had known these things above eighteen Months and had taken no notice of them, thence the rapid depreciation of our Paper Currency—if Congress do not immediately take proper measures to prevent it, our Paper Money will be at an end.

(Mr. Gerry referred to November 1777 when Congress had been informed of these things, but I do not recollect his expressions)

Then Mr. Gerry moved that the Report from the Board of Treasury on Finances should be taken under consideration at 2 o'clock on every Tuesday, Wednesday, Thursday and Friday &c &c. Amended by Mr. Dickinson to Monday, Wednesday and Friday immediately after reading the Journal, and not to be set aside without unanimous consent.

I shewed the above Memorandum to Mr. Drayton, Mr. Ellery, Mr. Muhlengberg and to Mr. Gerry who said he did not care, it was all true—I added, that I committed to writing certain declarations to the above effect, which I believe had been made about eighteen Months ago.

I also shewed the above Paper to Mr. Dickenson, who observed that Mr. Gerry had said expressly that Congress had been informed, so long ago as November 1777 that the present evils or circumstances would come to pass, and had taken no notice of them—and I recollect it to have been to that effect, altho' his particular words have escaped me.[2]

Tr (ScHi: Laurens Papers, no. 20). In the hand of Moses Young.

[1] This date has been assigned because of Laurens' reference in his fourth paragraph to a motion concerning finances offered by Elbridge Gerry, which was "Amended by Mr. Dickinson." Although Secretary Charles Thomson did not record Congress' proceedings on this motion, the journals do indicate that a resolution embodying Gerry's recommendations as amended by Dickinson was adopted on May 17. A number of somewhat similar motions had previously been offered and rejected on April 27, but none of the earlier motions fit the description recorded here by Laurens. See *JCC*, 14:520-23, 597.

[2] For Gerry's expression of these views in November 1777, see these *Letters*, 8:326-27. For similar sentiments expressed by Laurens at about the same time (i.e., "about eighteen Months ago"), see ibid., pp. 350, 359.

James Lovell to John Avery

Sir Philada. May 17, 1779

By Mr. Dalton & Col. Wigglesworth I have forwarded for the Assembly 10 of the Journals of Jany. & the two first Weeks in April. I shall in like manner forward others as they come out. I also sent a Sheet of 1777 which was omitted at the Time I forwarded several others. Perhaps these Gentlemen will not reach Boston so soon as the Post, but such Things are rather too bulky to be put into a continental Mail.

I beg you to communicate to the Honble. Council the inclosed Copy of a Letter from Governor Reed.[1]

In addition to my wishes personally that a sort of Debt supposed to be contracted on my Account might be readily liquidated, I have strong political Reasons, just at this Time, for desiring that a State Civility may be discovered between Massts. & Pennsylva: the Published Journals will in part explain my Grounds, the secret ones would fully do it.

Mr. Coats is a very worthy Man; and though he will not perhaps think himself bound to answer a Call to return to Captivity from a Commissary who deprives him of all hope of Exchange, yet he feels himself embarrassed by his Parole from rendering Services *publickly* to this State.

I beg a few Lines speedily in Answer. I do not foresee Difficulties in the way of this Business, where the Lentor of a continental Congress does not infactiously reach.

Mr. Lowell is still delayed; Sth. Carolina & Connecticut have applications, like what he brought, depending; and which were yesterday Recommitted to the Treasury. I shall use my Endeavors with my Colleagues to bring a favorable speedy Issue to the Business.[2]

Your most humble Servant,

James Lovell

RC (M-Ar: Revolutionary War Letters). Endorsed by John Avery: "In Council June 2d. 1779. Read & Committed to Thomas Cushing and Jabez Fisher Esqrs. to consider this Letter with a Letter from his Excellency Govr. Reed & report what may be proper to be done thereon."

[1] Joseph Reed's letter has not been found, but Lovell was soliciting aid from the Massachusetts General Court for William Coats, the lieutenant of the County of Philadelphia, who was currently on parole from British imprisonment. Coats claimed in a May 6, 1779, letter to the Pennsylvania Council that Commissary General of Prisoners John Beatty had been unable to effect his exchange because of his civilian status.

Reed had sought Lovell's aid because Lovell, a prisoner himself in 1775–76, had been exchanged for Philip Skene, a prisoner of Pennsylvania at that time. Reed's and Lovell's efforts were not unrewarded, and in a June 9, 1779, letter Avery assured Lovell that an emissary who "is a Gentleman of great Influence with the enemy at New York" had been dispatched to New York and that the exchange would be obtained. See *Pa. Archives*, 1st ser. 7:376–77, 477; and these *Letters*, 3:42, 73–74. For further information on the successful conclusion of this endeavor, see Lovell to Joseph Reed, July 16, 1779.

[2] Massachusetts, Virginia, and Connecticut were granted advances of money by Congress on May 22. Lovell apparently confused Virginia and South Carolina. Letters from both governors were read in Congress this day, but the journals noted only the submission of Patrick Henry's April 16 letter to the Board of Treasury. Similarly, Lovell garbled events surrounding Massachusetts' request of April 24, which had been brought to Philadelphia by John Lowell and referred to the Board of Treasury by Congress on May 15. See *JCC*, 14:595–97, 629–30; and Samuel Holten's letters to the Massachusetts Council, May 18 and 25, 1779.

Gouverneur Morris to William Shippen, Jr.

Phila. 17th May 1779.

Sir,

I had the Honor of yours of the 15th. Instant this Morning and confess that I am not a little astonished at the Contents of it. You profess yourself unwilling to derange a System which is now in exceeding good Order &ca. You have so often & so openly acknowledged the Defects of this System, A System which I cannot but think pregnant with Disorder and Profusion that it is impossible for a Man of my plain Understanding to comprehend the Reasons which have so suddenly converted you into an Advocate of it or it into Perfection. But what is most surprizing is the Harmony which untill very lately at least hath certainly not existed but which I now learn from such high Authority prevails throughout. It is very possible that you may suppose the Committee have Time to throw away in Attention upon the versatile Projects which the Gentlemen of your Department may from Time to Time adopt. Permit me to assure you that this is not the Case. Speaking for myself I will avow the same Earnestness to arrange and establish the medical Department which I have hitherto been impelled by and I neither can nor will cooperate in Measures which appear to me pernicious. I am to intreat that you will meet the medical Commite at the State House on Wednesday Afternoon at 6 oClock and bring with you such of the medical Gentlemen as are in town as also the present System and the Form in which Business is conducted under it.[1]

I have the Honor to be, with the greatest Respect, Sir, your most obedient & humble Servant, Gouv. Morris

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FC (NNC: Morris Papers). In the hand of Gouverneur Morris.

[1] For further information on plans to reform the medical department, see Richard Henry Lee to Shippen, April 18, 1779. For the condition of the medical department at this time, see Mary C. Gillett, *The Army Medical Department, 1775-1818* (Washington: Center for Military History, 1981), chaps. 2 and 5.

Virginia Delegates to Patrick Henry

Sir, Philadelphia May 17th 1779

We beg leave to explain to you some difficulties that occur to us in executing the instructions contained in the inclosed paper No. 1 directing the Delegates to inform Congress of the resolutions of assembly respecting Indian purchases. We suppose this must have reference to some other Resolve than the single one next following upon that subject. If Sir, there are any resolves declaring the sense of the Assembly concerning such purchases, and anouncing their invalidity, we pray to be furnished with them.[1] At this time such a declaration seems necessary, as will appear by the paper inclosed No. 2 extracted from a Talk lately delivered to General Washington by some Chiefs of the Delaware nation, and transmitted to Congress by the General.[2] These Indians are come down under the conduct of Colo. George Morgan, who is at once public Agent for Indian affairs in the middle department, and private Agent for the Vandalia company pretending to claim a large territory within the chartered limits of Virginia under purchase from the Indians. As this Talk has come, and the Indians with Colo. Morgan are coming to Congress; we shall endeavor to prevent the success of this Manœuvre. There is some reason to suppose that these Purchasers from the Indians wish to have their right of so doing submitted to the judgement of Congress, and as we conceive that our execution of the 5th resolve in the paper No. 1 will coincide with such views, we have suspended an application to Congress upon the subject, until we can get the further sense of our Constituents thereupon. Lands that are clearly within the chartered limits of a State have been hitherto understood to be, at least, in the preemption of that State; and certainly such purchases would contravene our whole system of laws respecting the mode of acquiring ungranted Lands in Virginia.[3]

We have the honor to be Sir you most obedient servants.

Meriwether Smith

Richard Henry Lee

RC (DLC: Miscellaneous Manuscripts). Written by Lee and signed by Lee and Smith.

[1] The "instructions" referred to here were probably the five resolutions adopted by the Virginia House of Delegates on December 19, 1778, which expressed its pique over Maryland's failure to ratify the Articles of Confederation and sought to prevent Maryland speculators from purchasing Indian lands already claimed by Virginia. Specifically, the assembly instructed its delegates in Congress to propose that each state authorize its delegates to ratify the articles, which would then become "forever binding" on the ratifying states notwithstanding that other states might decline to ratify, and it further directed the Virginia delegates to ratify the articles. In a cryptic third resolution, however, the House of Delegates instructed its delegation "to inform Congess of the resolutions of the General Assembly, respecting purchases of lands from any Indian nation," but did not specify to which resolutions it referred. In a fourth resolve, the assembly expressed concern about the Illinois-Wabash land partners who had purchased land from the Indians "on the northwest side of the Ohio river, within the territory of Virginia" and directed the delegates "to cause an inquiry to be made, concerning the said purchase, and whether any, and what citizens of any of the United States, were, or are, concerned therein." Finally, the assembly offered land to "landless" states that would need bounty lands to service Continental veterans' claims at the end of the war. This last proposal had already been introduced in Congress on January 26, 1779. See *Journal of the House of Delegates of the Commonwealth of Virginia; Begun . . . on Monday, the Fifth of October* [1778] (Richmond: Thomas W. White, 1827), pp. 124–25; and *JCC*, 13:116. See also John Henry to Thomas Johnson, January 30, note 1; and Virginia Delegates to the Virginia House of Delegates, May 22, 1779.

[2] For information on the visit of the Delawares to Philadelphia in May 1779, see the Committee for Indian Affairs Speech to the Delaware Indians, May 25? 1779.

[3] Although George Mason had suggested to Richard Henry Lee in a letter of April 12, 1779, that the matter of conflicting claims to Indian lands could be avoided if Congress would "declare that every Purchase of Lands heretofore made, or hereafter to be made by any Indian Nation, except by public Authority, and upon public Account shou'd be void," he ensured that the Virginia assembly made its intentions perfectly clear in its spring session. On June 9, 1779, the House of Delegates declared that "the Commonwealth of Virginia had the exclusive right of a pre-emption, from the Indians, of all lands within the limits of its own chartered territory," a right that "will, and ought to be, maintained by the Commonwealth to the utmost of its power." On June 17 the assembly enacted specific legislation to "remove and prevent all Doubt concerning Purchases of Land from the Indian Natives." See Mason, *Papers* (Rutland), 2:498–99, 512–13; and Hening, *Statutes at Large*, 10:97–98. For further information on the tangled controversy over western land claims, see Max Savelle, *George Morgan, Colony Builder* (New York: Columbia University Press, 1932), pp. 87–96; George E. Lewis, *The Indiana Company, 1763–1798: A Study in Eighteenth Century Frontier Land Speculation and Business Venture* (Glendale, Calif.: A.H. Clark Co., 1941), pp. 199–222; and Mason, *Papers* (Rutland), 1:313, 399–409, 414–22, 461–62, 2:494–500, 509–13, 518–19.

Board of Treasury to George Washington

Treasury Office, Philada. 18th May 1779

Sir

Auditor Johnston has represented to this Board that several Pay Masters and other Officers have resigned and quitted the army; without previously settling their accounts. This is an inconvenience which will greatly embarrass and obstruct the system laid down by Congress for adjusting the army accounts through the Auditors: And we beg that your Excellency will be pleased to give the proper orders for preventing it in future.[1]

We have the Honour to be, With the utmost respect, Sir, Your Excellency's Most Obedient, Humble servants. Jas. Duane, Ch.

RC (DLC: Washington Papers). Written and signed by James Duane.

[1] Washington responded on June 9 that he would continue his efforts to prevent officers from leaving "the service without having previously settled their accounts." Washington, *Writings* (Fitzpatrick), 15:254–55.

Committee of Congress to Jeremiah Wadsworth

Sir, Philadelphia 18th May 1779.

By the enclosed Copy of a Letter received this Morning from Mr. Holker you will perceive that there is an immediate Demand for a very considerable Quantity of Flour for the Use of the French Squadron at Martinique. This Demand must be complied with.[1] In Order to determine our Abilities the Committee have made the following Estimate.

1st. They suppose that the Northern Department will be supplied from the State of New York.

2ly. That the Magazines to the Westward will be sufficient for the Troops destined to act in that Quarter & if they are not it must be owing to Deficiencies in that Country which cannot at present be supplied from other Quarters.

3ly. That the Distresses in the Eastern Depart. cannot be so immediately releived from hence as that a great Quantity can with Propriety be destined thither but supposing that by the 1st of July a Part may reach them, then we allow for that Destination 5,000 Barrils which exclusive of the Corn and Rice which may perhaps arrive, will contain 1,120,000 Rations. From the first Day of July to the 20th Day of Octr., by which Period it is to be hoped that the new Crop will be at Market to supply that Demand, is 112 Days so that this Quantity will furnish 10,000 Rations daily.

4ly. That the Consumption of the Troops from Byram to Potowmack Rivers, exclusive of the northern and western Dept. will not exceed 25,000 Rations daily which is per Month 750,000 lbs of Bread and allowing only 224 lbs of Bread to the Barril of Flour is 3,348 Barrils monthly. From the last day of May to the last day of October is five Months making 16,740 Barrils but we allow for Deficiencies 260 Barrils and state the whole Demand at 17,000.

5ly. That the marine Committee for their Demands may want 3,000 Barrils which for six Months will amount to 500 per Month and allowing 200 lbs. of hard Bread to the Barril of Flour is Monthly 100,000 Rations or daily 3,333 Rations.

6thly. That by Ayletts Returns it appears that the Convention Troops can be supplied in that Quarter. Wherefore the Account stands thus.

Eastern Department	5,000 Barrils
Grand Army & Posts	17,000
Marine Committee	3,000
Squadron at Martinique	12,000
Total Demand	37,000

By Blaine's Return of the 12th Instant deducting what is for the western Expedition there appears to be a Remainder of 8,424 tho perhaps there may be more as the Return is much couched in round Numbers. And for the same Reason there may be more than the 16,755 Bushels of Wheat which however at six Bushels to the Barril will contain 2,792 ½ Barrils amountaining in the whole to 11,216 ½ Barrils.

By Aylett's Return to February last there are 959 Barrils and 9,626 Bushels of Wheat equal as above to 1,604 Barrils, in the whole 2,563 Barrils of which we allow one half to have been already expended the Remainder is 1,281 ½ and by his last Return there appears to be a *moral Certainty* of 4,460 Barrils more in his Hands which with the former Quantity is 5,741 ½.

By Governor Johnson's last Letters the Committee expect from Maryland 10,000 Barrils. Wherefore the Account stands thus.

Blaines's Returns	11,216 ½ Barrils
Ayletts Returns	5,741 ½
Maryland	10,000
Deficiency	10,042
Total	37,000

No Allowance is made in this Calculation for what may be in the Hands of the issuing Commissary beyond the Supplies of the current Month. And on the whole it appears that only 10,000 Barrils remain to be purchased before the next Harvest which seems to promise plentifully.

By the Returns of Salt it appears that 20,000 Bushels of it may be easily spared and the Committee have good Reason to beleive that by giving two Bushels of Salt for a Barril of Flour in Part of the Pay the necessary Quantity may easily be obtained and therefore recommend it to you to pursue that Measure in the most prudent Manner and at the same Time to reduce if possible the Price of Flour which may we think be done and in that Case there is but little Doubt that the Quantity will be increased by drawing it from the Hands of Engrossers who now expect to make an Advantage by the public Wants. One Means of reducing the Price is to divide the whole Quantity among your several Purchasers and limit the Times at which it is to be delivered. Whether a Limitation of Price will be expedient we cannot so readily determine but incline to think that it would.

To return to Mr. Holkers Letter it is the Desire of the Committee that the 1,000 Barrils said to be at Lancaster the 800 in the State of Delaware and as much of the 2,000 said to be at the Head of Elk as will make up the Deficiency of 2,000 Barrils be immediately delivered to Mr. Robert Morris together with the 4,000 Barrils of Biscuit and a Copy of his Receipts therefor delivered to the Committee.

It is their further Desire that all the Flour bought by Mr. Aylett be immediately sent forward to Baltimore and delivered to William Smith Esquire and that Copies of his Receipts be in like Manner delivered to the Committee.

It is their Desire that in future the purchasing Commissaries transmit weekly Accounts of their Purchase of Flour and that from Time to Time Accounts be rendered to the Committee of the Flour delivered over to the issuing Commissary.

We are Sir, your most obedt. Servants,
Gouv Morris
Wm. Whipple
John Armstrong

RC (PHi: Gratz Collection). Written by Morris, and signed by Morris, Armstrong, and Whipple.

[1] Jean Holker, the French consul and purchasing agent for the French fleet, had asked for 12,000 to 14,000 barrels of flour and biscuit. Jeremiah Wadsworth Papers, CtHi. For discussion of the commissary department's efforts to evade these instructions and the consequent furor with French officials, see Mary-Jo Kline, *Gouverneur Morris and the New Nation, 1775-1788* (New York: Arno Press, 1978), pp. 154-56. For Morris' efforts to redirect efforts for the purchase of this flour, see Committee of Congress to John Chaloner and James White, May 27, 1779.

John Fell's Diary

Tuesday 18th May [1779]

Com. Committee. Congress. Several Letters, Petitions &c Read.

Report of the Committee to whom was Referrd the Memorial from Bermuda, agreed to let them have Indian Corn not Exceeding 1000 Bushel.[1]

P M. Went to Marine Committee (did not make a Board).

MS (DLC).

[1] For further information on this decision to furnish provisions to the inhabitants of the Bermuda islands, see Fell's Diary, April 19, 1779, note.

Samuel Holten to the Massachusetts Council

Sir, Philadelphia May 18th, 1779

I have the honor of inclosing the first weekly Journals of the proceedings of congress, that have been published. The business Mr. Lowell is charged with from the honorable court to congress, is referred to the treasury board;[1] and I believe congress will advance a sum of money to the state, for which they must be accountable, but I do not expect it will be expressed for any particular purpose.

I also inclose this mornings paper, which contains all the intelligences we have here, worthy the attention of the honble board.

I have the honor to be with the greatest respect, Sir, your most obedient servant; S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "The honble. the president of the Council of Massa. Bay."

[1] See James Lovell to John Avery, May 17, 1779, note 2.

Holten made the following entries in his diary pertaining to John Lowell's activities in Philadelphia:

May 16: "Mr Daulton & Mr Lowell dined with us."

May 20: "No new intelligence this day. I took a walk with Mr Lowell."

May 22: "I ride out with Mr Lowell. Capt. Hardy dined with us." Holten Diary, MDaAr.

Maryland Delegates to Thomas Johnson

Phila. May 18th. 1779.

Sir,

Your Letter to the Board of War has been delivered.[1]

Our applications to the Treasury Board for Eight hundred thousand Dollars—Order'd by the Resolution of Congress for the purchase of Flour in our State has been almost incessant. We are promised Five hundred thousand to be delivered this day and we shall as soon as possible forward them under Guard.[2] With the greatest esteem & respect We are, Your Excellencys, Most Obed Servts,

Geo. Plater

John Henry.

Daniel of St. Thos Jenifer

[*P.S.*] Nothing New.

RC (MdAA: Red Books). Written by Jenifer, and signed by Jenifer, Henry, and Plater.

[1] Apparently the Maryland Council's May 14 letter to the Board of War concerning cannon that the state was prepared to make available for the Continental Army. See *Md. Archives*, 21:393.

[2] See Maryland Delegates to Johnson, May 19, 1779.

Roger Sherman to Benjamin Trumbull

Philadelphia May 18th. 1779

Sir

I received Your favour of the 24th of last month Enclosing a Hartford Paper which I Shewed to a Delegate of this State who was well pleased with the piece Signed *Honestus* and Says has left in [it] with a Printer in this City who will publish it in his Paper to morrow.[1] We had letters yesterday from South Carolina dated the 24th of April nothing remarkable has been done there of late. The Enemy's Army lies on one Side of the Savanah River & ours on the other, the Governor of South Carolina is raising Militia to reinforce our Army, & they are in hopes they Shall be able to repel the Enemy & drive them out of Georgia, 'tis Said they are very Sickly. We have no late News from Europe. Congress has agreed to Spend 3 days in a week on the Business of Finance till Some effectual measures Shall be Agreed on to give Stability to our currency & prevent further Emissions of Bills. I know of no practicable Method to effect it, but calling on the States to raise their Quotas of Money to defray the whole of the public expences—which perhaps at the present rate would require about 15 Millions of dollars every three months. What cant be raised by taxes each State may raise by loan on its own Credit. What will be devised & adopted is uncertain—but it is prety certain it will not do to encrease the paper currency much more.

I am very respectfully Your humble Servant,

Roger Sherman

RC (NjHi: Bamberger Collection).

[1] The article by Honestus on fiscal affairs, which appeared in the April 13 issue of the *Connecticut Courant*, was reprinted in the *Pennsylvania Gazette* on May 19.

Meriwether Smith's Speech in Congress

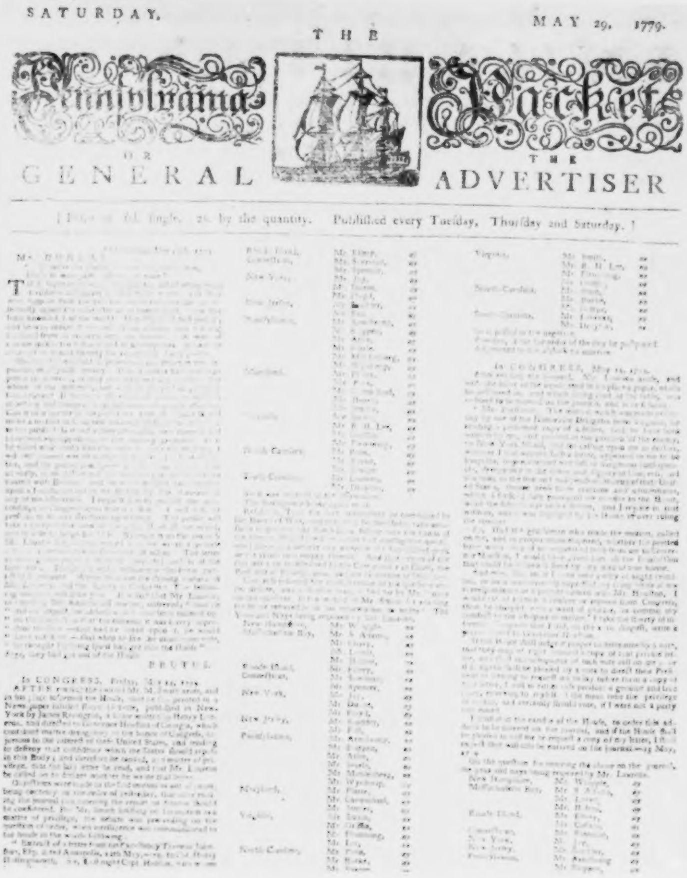
Mr. President, Tuesday, 18th May 1779.

It gives me real Concern to find that Mr. Laurens, a Delegate from the State of South Carolina, considers the Motion I made on Friday last[1] as an *Attempt* "irregular unprecedented & full of dangerous Consequences—derogatory to the Honor & Dignity of Congress & alarming to the free & independent Citizens of these united States." I conceive it to be the Duty of every Member of Congress to receive Information, & to communicate it to Congress, of the Venality, Peculation & Fraud of any of its Members, or of other Persons employed in the public Service. If the Information *leads* to the Investigation of Truth, it is worthy of Notice and should be attended to. The Contents of the Letter alluded to in the Information I gave, the Manner in which it was published & the Probability that a Letter directed to the Governor of Georgia, might have fallen into the Hands of the Enemy, in Georgia; did, in my Opinion, require the Attention of Congress & of all the free & independent Citizens of these united States; since the Honor of the one & the Interest of the other demanded an Inquiry concerning the Truth of the Contents. The Publisher in *this* Instance could not be called upon to justify the Publication, either by Congress or Mr. Laurens, because he was not within the Line of their Power: But Mr. Laurens might have refuted the Publication by a bare Denial of the Authenticity of the Letter; which Justice to Congress & his own Honor required if the Letter published was not genuine. In my Opinion, therefore, there was no Impropriety in the Motion for demanding of Mr. Laurens whether he had written the Letter of which that Publication was said to be a Copy. I am sure the demanding of *a Person* whether he was the *Author* of a letter published in a *Newspaper* was not unprecedented even in this House. But Mr. Laurens could not be compelled to give Evidence against himself, or even to answer the Question. A Regard to Truth & his own Honor were the only Considerations which could oblige him to answer any Question. The Motion, therefore, could not be "full of dangerous Consequences," nor could it be "alarming to the free and independent Citizens of these united States" unless Mr. Laurens & the free & independent Citizens of these united States should be of Opinion that Truth & Honor ought not to influence the Conduct of Men. If Mr. Laurens has discovered those Scenes of Venality, Peculation & Fraud, which are mentioned in the Letter alluded to, or if he was warrented to say what is therein expressed, he ought *indeed* to have rejoiced that an Opportunity was given him to unfold them, & thereby to have been instrumental in bringing to Punishment the Authors of such Mischiefs to the Public. But, Mr. Laurens has charged me openly in Congress, with having attempted what was "irregular, unprecedented & full of dangerous Consequences—derogatory to the Honor & Dignity of Congress, & alarming to the free and independent Citizens of these united States." And he has said that he rejoices "at the Wisdom displayed by Congress in *over-ruling* the ATTEMPT." This charge is contained in a written Paper, which he read in his Place and desir'd might be entred upon the Journals of Congress. It hath been received and is entered upon the Journal by order of Congress. Without calling upon Congress for that Protection against *personal* Insult, to which every Member is entitled whilst he is performing his Duty in this House, and a consequent Reparation of the Breach of Privilege; I demanded of Congress the Justice due to my Honor,—that the Sense of Congress might be expressed whether the Motion I had made was of such a Nature as Mr. Laurens had declared, and I thought myself intitled to Satisfaction on this Point, as Congress had received the *implied* Thanks of Mr. Laurens for the wisdom displayed in *over-ruling* the ATTEMPT. Congress has not been pleased to answer the Question; but hath adopted a Resolution, which, in my Opinion, countenances the Charge; as it apologizes for having admitted the Declaration to Record, & leaves it in full Force against me. A Mode of Proceeding which, if it shall be conclusive in this Case, I fear, will impeach the Candor if not the Justice of Congress. I therefore, as well out of Regard to the Dignity of Congress as to my own Honor, repeat my Request that Congress will explicitly declare whether it be their Opinion that the Motion which I made on Friday last was "full of dangerous Consequences—derogatory to the Honor & Dignity of Congress & alarming to the free & independent Citizens of these united States." and having *indulged* Mr. Laurens with entering his address upon the Journals of Congress, I hope Congress will allow me equal Justice & allow me the same Indulgence, by entring this Address upon the Journal of Congress.[2]

Meriwether Smith

MS (DNA: PCC, item 78). In the hand of Meriwether Smith and endorsed by Charles Thomson: "Paper read by M Smith May 18, 1779. Question taken that it be inserted on the journal Passed in the negative."

[1] For "the Motion I made on Friday last," and the response of Henry Laurens to that motion, which led Smith to compose this rebuttal, see *JCC*, 14:610–11; and Henry Laurens' two speeches in Congress, May 15, 1779, printed above.



SATURDAY, MAY 29. 1779.

THE Pennsylvania Packet OR THE GENERAL ADVERTISER

[Price [illegible] single, [illegible] by the quantity. Published every Tuesday, Thursday and Saturday.]

Meriwether Smith's Appeal to the Public, May 25, 1779
in the *Pennsylvania Packet*, May 29, 1779

[2] Smith's effort to have this "address" entered on the journals failed by a roll call vote of five to four, Rhode Island and South Carolina divided, Delaware and Georgia not represented. *JCC*, 14:611.

Unable to secure "equal justice" with Henry Laurens, whom Congress had "indulged" by entering his May 15 address on the journals, Smith decided to appeal to the public. On May 29 Smith's speech, preceded by extracts from the journals of Congress for May 14, 15, and 18, appeared in John Dunlap's *Pennsylvania Packet*, one of a half-dozen items published in the *Packet* during this period concerning the Smith-Laurens feud over the publication of Laurens' captured letter of August 27, 1778, to John Houstoun. These included a letter from "Candour" [probably Thomas Paine] of May 19, from Silas Deane of May 22, from "Phocion" [undated], and from "Lusitania" of May 26. They were printed in the *Pennsylvania Packet* on May 20, 25, and 27 and June 1, respectively, and can also be found in the *Deane Papers* (NYHS Colls.), 21:452-53, 468-74. The following letter of May 25 from "Brutus," who was probably Smith himself, appeared in the May 29 issue of the *Packet* as an introduction to the journal extracts and Smith's speech of May 18.

"The reputation which requires the aid of anonymous scribblers to support it, is of little worth; and they who suppose that the publications of such persons can essentially injure the character of an honest man, have but little knowledge of the world. Honesty is the best policy; and he who makes it the basis of his actions, has nothing to dread from an enquiry into his conduct. A man of candor makes truth the object of his enquiries, and will be ashamed to wound secretly the reputation of any person.

"Much hath been said of peculation and fraud in the expenditures of public money. If such things have not happened in America, it may be considered as a miracle; but where are the instances, and who are the persons guilty of such crimes? It behoves all ranks of people to assist in detecting and bringing to punishment every such offender. Can it be a matter of surprise then, that *Mr. Smith* should make a motion in Congress evidently designed to do justice to the public? Is it not rather astonishing that there should have been any opposition to the enquiry proposed! If it be asked what could stimulate him to make the motion, I will tell you—it was an independent spirit, the love of justice, and the public good;—which led him also to take an early, open, active and disinterested part in the present contest with Britain; and have established his character upon a foundation not to be shaken by Mr. *Laurens* or any of his adherents. I request you to publish the proceedings of Congress upon this occasion. I will not, at present, make any strictures upon them. The public will take a comparative view of the conduct of all concerned, and be able to judge for itself. By what is on the journal, Mr. Laurens has acknowledged that he wrote a private letter on a certain date to Governor Houston. The letter to Rivington's paper is marked (private) and is of the same date. The public will conclude that the letter published is genuine. Where then are the shining virtues of Mr. Laurens, and the dignity of Congress? The following anecdote will show you. It is said that Mr. Laurens, in opposing Mr. Smith's last motion, observed, 'that he did not expect his address would have been entered upon the journal;—that the entering it was a very imprudent measure;—that had he voted upon it, he would have voted no;—that when he saw the unanimous vote he thought the lying spirit had got into the House.' *Ergo*, they had got out of the House."

Evidence that news of the Laurens-Smith controversy quickly spread beyond Philadelphia is found in a letter of May 29 written from York, Va., by Thomas Nelson to Thomas Burke, in response to a May 17 letter from Burke that has not been found, in which Nelson observed that "Mr. Laurens's Conduct in writing the letter to Governor Houston only proves what I suspected after a very short knowledge of him. That he has violent passions, little Judgement and I was going to add a bad Heart. I could wish that his Letter had been forwarded to me. [Meriwether] Smith however will give us *that* with the whole proceedings upon it, and then I shall be able to form a better judgement of his Conduct." Signers of the Declaration Collection, NNPM. Richard Henry Lee, who had only recently returned home to Virginia, also commented in a June 13 letter to Laurens that "Mr. Smith (alias Dogberry) has been famous here for being a very vain and a very troublesome man—But his vanity, for certain reasons, has been so powerfully fed at Philadelphia, that it hath eaten him up—I can no otherways account for the publication of the yeas and nays in Dunlaps paper of the 29th, wch. I presume will set all the world to laughing at him as they do here." See Lee, *Letters* (Ballagh), 2:70–71.

William Whipple to Meshech Weare

Sir Philadelphia 18th May 1779

When I last did myself the Honor of addressing you[1] I Flattered myself, I shod before this time have had it in my power to communicate intelligence both interesting & agreeable, but unhappily, that satisfaction is still denied me; We have been a long time without any authentic intelligence from Europe, owing, (as I have good reason to believe) to the miscarriage of dispatches.

A fleet hath lately sailed from York with a detachment of 4000 men destined as is supposd for Georgia, by the last accounts from that Country there had lately been two skirmishes in both of which our people had the advantage, our army there is still too weak to act otherwise then on the defensive but I hope Genl. Lincoln will soon be reinforced from N. Carolina and Virginia & if we can be favored with a little naval assistance from our ally, I shall have very flattering expectations of favorable events in that quarter.

I shall send you by this opportunity a few of the journals of Congress for the month of January last, they will come monthly from the press, from the first of Jany. to the first of April, & after that time weekly. The Volume for 1777 will be out in a week or two when I shall take the earliest opportunity of transmitting it to you.

I have the Honor to be, with the most Respectful sentiments, Sir, Your most obedient & very Humle Sert, Wm. Whipple

RC (MHi: Weare Papers).

[1] Whipple's last extant letter to Weare is March 23, 1779.

John Fell's Diary

Wednesday. May the 19th. 1779.

Commercial Committee. Congress. After reading the Letters, The order of the day on Finance, after long debate, the Question was Put for filling the Blank in the 4 article, with 60 Million of Dolls. carried in the Negative then the question for 45 Million, carried in the Affirmative. 5 Yaes 4 Noes—2 divided. NB. Dr Wetherspoon at Congress.[1]

MS (DLC).

[1] John Witherspoon joined Fell to cast New Jersey's vote in favor of setting the states' quotas at $45 million. According to the journals, the motion was adopted by a vote of 6 to 4. *JCC*, 14:616.

Samuel Holten's Diary

[May 19, 1779]

19. Wednesday. Congress sit late. It is sd. 4000 of the enemy is landed n Portsmouth, Virginia.[1]

MS (MDaAr).

[1] For the British attack at Portsmouth, see William Fleming to Thomas Jefferson, May 10, 779, note 3.

John Jay to Certain States

Philadelphia 19th May 1779.

Sir,

I have the Honor of transmitting to Your Excellency herewith enclosed a Copy of an Act of Congress of the 18th Inst. for affording Releif to the distressed Inhabitants of Bermuda.[1] And am With great Respect, Your Excellency's Most Obedient Servant.

LB (DNA: PCC, item 14). Addressed: "To His Excellency Governor Henry. N.B. The like verbatim to the Governors of Maryland, No. Carolina, Delaware and Pennsylvania."

[1] For Congress' response to Bermuda's request for permission to import provisions from the United States for the distressed inhabitants of the island, see John Fell's Diary, April 19, 1779, note 1.

To this congressional recommendation that Bermuda be permitted to import 1,000 bushels of corn from each of the five states addressed, the Pennsylvania Council responded immediately "That it is very clearly the opinion of this Council, that the said Resolve of Congress cannot be complied with, consistent with the Laws of this Commonwealth." *Pa. Council Minutes*, 11:782.

John Jay to Nathanael Greene

Philadelphia 19th May—1779.

Sir,

I have the pleasure of transmitting to You, herewith enclosed, a Copy of an Act of Congress of the 11th Inst, making further provision for Officers in your Department.[1]

I have the Honor to be Sir, With Respect & Esteem, Your most Obedient Servant,

John Jay, Presidt[2]

RC (PPAmP: Greene Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] These May 11 resolves for augmenting the pay of officers in the quartermaster department were adopted in response to recommendations contained in an April 15 letter from General Greene and an April 23 report of the Board of War. See *JCC*, 13:472, 14:573–74; and PCC, item 147, 3:231–34.

Jay also sent these resolves to General Washington with a brief covering letter dated May 19. PCC, item 14, fol. 112.

[2] Jay also sent Greene the following personal letter of recommendation the next day. "Lt. Colonel [Lewis] Morris having left Majr. General [John] Sullivans Family, & being desirous of a Place in your's; I take the Liberty of introducing him to you. He has long had my Esteem & Regard. I therefore wish he may have an opportunity of acquiring yours. Let not your Convenience however be taxed on this occasion by your Politeness. Be pleased to make my Compliments to Mrs. Greene. I am Dear Sir, your most obedt. Servt, John Jay." Greene Papers, PPAmP.

John Jay to Thomas Johnson

Sir Philadelphia 19 May 1779

I had the honor of receiving your favor last Evening on the Subject of the Enemys Operations in your Bay.[1] I detained the Express till this afternoon, in order that he might be the Bearer of any Dispatches Congress might direct on the Occasion—but as it did not appear to them necessary to detain him longer—he is now dismissed.

I am Sir with great Respect, your obt Servt, John Jay.

RC (MdAA: Red Books).

[1] *JCC*, 14:614. Governor Johnson's May 16 letter to Jay enclosing a report from three lookouts assigned to reconnoiter British vessels in Chesapeake Bay is in PCC, item 70, fols. 321-25.

John Jay to Caesar Rodney

Sir, Philadelphia 19th May—79

Your Excellency will receive herewith enclosed a Copy of a Memorial of Capt. Allen McLane, & of an Act of Congress of the 17th Inst. on the Subject of it.[1]

I have the honor to be with great Respect, Your Excellency's, Most Obedient Servant

LB (DNA: PCC, item 14).

[1] Capt. Allen McLane's April 28 memorial to Congress seeking reimbursement for expenses he had incurred while recruiting troops for Col. John Patton's Additional Continental Regiment, which had since been broken up and distributed between Pennsylvania and Delaware, is in PCC, item 41, 6:133-39. It was read and referred on May 1 to the Board of Treasury, which made the recommendation adopted by Congress on the 17th that the Continent would compensate Delaware for any award "which that State shall judge proper to be made." See *JCC*, 14:537, 598, 606; Fred A. Berg, *Encyclopedia of Continental Army Units: Battalions, Regiments, and Independent Corps* (Harrisburg, Pa.: Stackpole Books, 1972), p. 93; and Connecticut Delegates to Jonathan Trumbull, January 4, 1779, note 4.

John Jay to George Washington

Philadelphia 19th May 1779.

Sir,

I have been honored with your Excellency's Favors of the 11th, 14th, 16th, two of the 17th, and the one by General McIntosh with the several Papers referred to in them.[1]

Congress concur with your Excellency in Opinon that an immediate Enquiry into the Matters of Complaint, preferred by General McIntosh, would at present be inexpedient.[2]

Copies of three Acts of Congress are herewith enclosed—one of the 17th Inst. directing the Commissioners of Indian Affairs to obey your Excellencys Instructions relative to a partial, or general Peace with the Indians[3]—Another of the same date making further Provision for the Adjutant General.[4] And a third of the 18th Inst. permitting Brigadier General McIntosh to join the Southern Army.[5]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient & Humble Servant,

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 14:596-97, 606, 613-14. For Washington's two letters to Jay of May 11, his letters of May 14 and 16, and a number of enclosures, including Lachlan McIntosh's May 14 letter to Washington, see PCC, item 152, 7:307-47; and Washington, *Writings* (Fitzpatrick), 14:40-45, 78-79, 88-89. His two letters of May 17 are in Washington, *Writings* (Fitzpatrick), 15:90-92, but not in PCC.

[2] For Washington's refusal to order a formal inquiry into the dispute between Lachlan McIntosh and George Morgan at Fort Pitt, see Gouverneur Morris to Washington, March 14, 1779, note.

[3] Jay also sent a copy of this resolve this date "To the Commissioners of Indian Affairs in the Northern Department." See *JCC*, 14:600; and PCC, item 14, fol. 110.

[4] Jay also sent a copy of this resolve this date to the adjutant general, Col. Alexander Scammell. *JCC*, 14:600-601; and PCC, item 14, fol. 113.

[5] *JCC*, 14:606.

Henry Laurens' Notes of Debates

19 May [1779]

When the Question to fill up the same Blank was put (40 Million having been moved by Gov Morris) Mr. Drayton offered a motion for recommending to the States to tax their respective constituents in as high an Amount as their circumstances would bear—I said, I would wish to second that Motion if it were practicable because it would apply extremely well to the circumstances of our State, but I apprehended we could not proceed in that indefinite mode, & I believed my Colleague was not in the *secret*—alluding to a design of drawing in Gentn. to a conduct which should appear to be contradictory, by combating against a high Tax & insisting upon the fisheries as an Ultimatum for Peace, and there upon I put queries to Mr. Ellery. "If you are in such circumstances as will not admit of Taxation adequate to lessening the quantity of Paper Money now abroad, how can you reconcile your demand for the Fishery as an Ultimatum—if you are not in circumstances for continuing the War—you will be told your ultimatum should be *moderate*.["]

A Motion was presently made by Mr. Dickinson for filling the blank with 60 Million. My Colleague who had formerly confessed his incapacity & left to me to determine even on 30 Million having received *light* by an out of door conference with two or three of the *party*, voted not only without consulting, but in direct opposition to me for 60 Million. This being negatived & 45 Million moved, he also voted for that Sum in opposition to me.

The circumstances of So Carolina are such as called upon us to reflect maturely on the subject. I had previously called Mr. Drayton out of Congress into the Court Room & delivered my opinion candidly on the subject—expressed my apprehensions that the burthen would be too much at this time for So Carolina, demonstrated the disadvantages she lay under by comparing the prices of her Staples with those of Virginia, Maryland, Pennsylvania, &c. I said I was in favor of taxing as highly as could be borne & that respecting myself I would wish to pay off now all my Taxes for two Years to come &c. &c.

He replied, "all that could be said was that if we *could not* pay it we[1] *could not* pay it" & then voted as I have said & as the Journal will shew.[2]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens. Tr (ScHi: Laurens Papers, no. 22). In the hand of James Custer. A continuation of Laurens' Notes of Debates, April 29, 1779.

[1] At this point in the MS Laurens inserted an asterisk to which he keyed the following note at the end of the document: "determinations worthy a sagacious Patriot."

[2] For additional notes on this subject, see Laurens' Notes of Debates, June 12, 1779.

Maryland Delegates to Thomas Johnson

Sir Philadelphia May 19th 1779

We are at length enabled to forward to your Excellency 800,000 dollars which the various & pressing demands on the Treasury prevented us from receiving untill This day;[1] We hope that this sum will be sufficient to pay the purchases made on Continental acct. as also the money advanced for the recruiting service, Should However a farther supply be necessary, we shall on notice from your Excellency endeavor to procure it with as much dispatch as is possible. We have no interesting intelligence but that which was communicated by you to Congress.

We are with Much respect, Your Excellencys Most Humble Serts,

Wm. Carmichael

John Henry.

RC (MdAA: Red Books). Written by Carmichael and signed by Carmichael and Henry.

[1] See Maryland Delegates to Johnson, May 11, 1779, note 1.

John Fell's Diary

Thursday May 20th [1779].

Commercial Committee. Congress. Letter from Seiur Gerrard, relating to 2 Spanish Vessells carried in to the State of Massachusets Bay[1] Referrd to a Committee of three vizt.[2] Mr Smith of Virginia read and Presented a Resolve of their Assembly, relating to the Confederation. Order of the day on foreign Affairs. Whether Mr Izard should be Recall'd, from the Court of Tuscany. Debate whether he should be recall'd, or his Commission Vacated, no determination Adjournd to 10 0 Clock.

NB A Letter was read from Leesburgh in Virginia that the Enemy had Landed there,[3] that Major[4]   had defended Fort with 150 Men, till he was oblig'd to leave it, that he Spike'd up the Guns, destroyd all the Stores, Burnt 3 Ships on the Stocks, and that a Party of 30 were sent of which he Killed 14 and took 16 Prisoners.

MS (DLC).

[1] For information on the capture of the Spanish vessels, see John Jay to Conrad Alexandre Gerard, April 25, 1779, note 2.

[2] Thomas Burke, James Duane, and James Lovell were named to the committee. *JCC*, 14:617.

[3] Congress received news of the British attack on Virginia in a May 17 letter of Thomson Mason. See John Jay to Mason, May 21, 1779.

[4] That is, Maj. Thomas Mathews.

Richard Henry Lee's Proposed Resolution

[May 20? 1779][1]

Resolved

That the Honorable Ralph Izard Esquire be informed, that as the Court of Tuscany hath declined receiving a Minister from the United States of America, and not discerning any probability that such Minister will shortly be received, Congress have thought proper to discontinue the appointment of a Commissioner for the said Court. That Congress entertain a proper sense of Mr. Izards' zeal in the service of his Country, and return him thanks for his attention to the Public affairs, and willingness to promote the Public good.

MS (Laurens Papers, no. 31). In the hand of Moses Young and endorsed by Henry Laurens: "Motion by R Lee Esquire, seconded by Mr. Laurens, May 1779, for thanking & dismissing Commissioner Izard."

[1] Debate on the conduct of the American commissioners in Europe, which was continued intermittently for nearly seven weeks after the subject was opened on April 15, turned on May 20 to the case of Ralph Izard, "commissioner for the court of Tuscany." This motion concerning Izard's recall was doubtless offered during debate on the subject this day. See *JCC*, 13:455–57, 479–87, 489–90, 499–500, 14:512, 533–37, 539, 542–43, 619. For the resolutions concerning Izard's recall that were finally adopted on June 8, 1779, see *JCC*, 14:700–704.

Marine Committee to the Eastern Navy Board

Gentlemen May 20th 1779

Since ours of the 4th instant we are favoured with yours of the 28th ultimo[1] whereby we find there is reason to conclude that Captain Hopkins has violated his Orders by returning into Port when he should have continued to Cruize,[2] and by not sending the Prizes he took into the nearest Port, and we find also that Captain Olney[3] has acted contradictory to your Orders by Comeing up to Boston when you had expressly required him to remain with his Ship in Nantasket road. We now direct that you immediately order a Court of Inquiry to inquire into the Conduct of those Two commanders during their late Cruize, and afterward if necessary a Court Martial. If you find the prosecution of that business will produce any delay in getting the Ships again to Sea, it is our desire that you suspend the said Commanders and put in others and in that case we recommend Captain Saltonstal and Captain Rathbourne to be appointed in their room.[4] We deem it highly necessary for the good of the Service that the orders of your Board should be obeyed by all Officers of the Navy under your direction and we desire that you will cause Courts of enquiry to be held when it is your Opinion the good of the Service requires it on the conduct of such Officers as may disobey your Orders or in any other manner may misbehave. We highly disaprove of Captain Hopkins sending an Officer to this place with A Letter contrary to the Orders of your Board, which disobedience of Orders in this as well as in other instances were unknown to us when we wrote him A Letter of approbation;[5] and we consider it very injurious to the service for the officers to get themselves appointed Agents for their Men as well as dishonorable to such Officers. Lieutenant Morran late of the Brigantine General Gates has arrived here in the Frigate Deane from Martinico where he was put on board that vessel under arrest by Captain Waters. We are unacquainted with the cause of his arrest, and therefore desire you will order Captain Waters to give in his charge with proper proofs, which please to send forward to us. The frigate Confederacy has arrived here and the Schooner Hannah & Mary which last vessel we have ordered to be laded and despatched back to your Port.

We have lately had sufficient reason to lay asside the expedition intended Against the enemys force on the Coast of Georgia; and the service the frigate Providence was intended for is supplied by another Ship—therefore it is now our intention to place our collected Naval force in such a manner as to accomplish the double purpose of intercepting the enemies outward bound Transports for New York from Great Britain and Ireland & the homeward bound west India Ships, but If the Providence & Ranger should be ready for Sea more than a fortnight before the other Ships—that then you order those Ships to proceed to Cruize for the above purpose, marking out to them their Cruizing ground in such manner, as there may be the greatest possible certainty of being joined by the other Ships as soon as they shall be ready.

You will use all possible diligence in getting the other Ships ready least that the two that Sails first should be exposed to Danger before they are joined. We request you will keep us constantly advised of your proceedings, & are Gentlemen, Your Hble servants

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LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The board's April 28 letter to the committee is in the Eastern Navy Board Letterbook, NN.

[2] For information on the investigation and suspension of Capt. John B. Hopkins, see Marine Committee to Hopkins, May 4, 1779, note.

[3] Capt. Joseph Olney, commander of the *Queen of France*, was suspended and ordered to stand a court-martial, but the trial was apparently not held. William J. Morgan, *Captains to the Northward* (Barre, Mass.: Barre Publishing Co., 1959), p. 161.

[4] John Peck Rathbun became commander of the *Queen of France* and Dudley Saltonstall commander of the *Warren*. Ibid.

[5] See Marine Committee to John B. Hopkins, May 4, 1779.

Gouverneur Morris to Unknown

Philaa. 20th May 1779

Gentlemen

I wrote you two Days since[1] which not being so full as might be wished I do myself the Honor of addressing this to you on the same Subject. Since my last Mr Morris hath informed me that the Commissary's Name was White Wherefore I direct the enclosed Order to him.[2]

Permit me to return you my sincere Thanks for the Trouble you have taken in this Business of which on the Part of the Public I have the most grateful Sense and sincerely lament that the Obstacles thrown in your Way have prevented these salutary Effects which were hoped from your Exertions. In Consequence of these Mr Morris hath wished to decline the Business and on the whole it is thought best (especially considering that our Wants appear to be less than we imagined) to suffer it to proceed in the former Way.[3]

I have the Honor to be, Gentlemen, your most obedt. & humble Servant,

Gouv Morris

RC (DNDAR).

[1] Not found.

[2] The enclosed order for assistant commissary James White has not been found.

[3] The "business" that Robert Morris "hath wished to decline" apparently involved the purchase of flour for the French fleet. For further information on this subject, see Committee of Congress to Jeremiah Wadsworth, May 18, and to John Chaloner and James White, May 27, 1779.

North Carolina Delegates to Richard Caswell

Sir, Philadelphia May 20th 1779

We have seen a paper signed by several of the officers of the Continental Troops raised by the State, over which you preside, and which we have the honor to represent in Congress. And we deem it a duty we owe to these, our brave and meritorious fellow Citizens, to declare our sense of the measure which they have adopted.[1]

The grievances of which they complain we are convinced press them with difficulties much more severe than they have expressed—and the prices of necessaries which they have stated are far from being exaggerated; they are, in truth below what are now current, the money being greatly depreciated since the date of their memorial. The hopes of attracting the attention of their Country, so as to obtain effectual provision against their present distress and for future support after peace shall be restored to their Country, appear to us extremely reasonable, and we persuade ourselves they are not ill founded.

We have that confidence in the *wisdom justice* and *liberality* of our Country, which permits us not to doubt that they will pay due attention to our fellow Citizens, who have opposed their bosoms to the swords of our Enemies—who have steadily persevered in exerting their Courage and talents for their Country, under the pressure of every want, and every severe calamity, which can wound the human senses and embitter human life.

And we beg Sir, to offer our wishes, that this subject may be considered, by the General Assembly, as of the highest *importance*, and deserving their most early *attention*. Measures, in principle similar to this taken by the officers of our Troops, have been taken by the officers of several other States; and we are happy in observing, that Ours have, in their address to the General Assembly, displayed a modesty, which we could wish not to have been singular, but which in Justice to them, we are obliged to declare to be so, as far as we have had an opportunity of remarking.

Their complaints are, and indeed always have been less loud, and importunate than those of any others; altho it must be owned their sufferings have been greater and their merit not less than those of any other Corps. This circumstance in our Opinion the better entitles them to an early and generous attention.

It may be thought that such redress as the Officers pray for ought more properly to be administered by Congress, but experience has proved that present provision can more conveniently and effectually be made by the states; and it is not quite clear, whether agreeable to the true genius of a Federal Republic, the future provision for the military ought to be made by, and at the *will* of the Magistrate who must have the supreme united executive power.

But what makes the immediate interposition of the states necessary is, that Congress have not time to apply the remedy so early as the inconvenience demands.

We venture to press our Country not only in favor of the application of our Officers, but also in favor of our fellow Citizens who are in the Ranks. We doubt not the Assembly will readily see the propriety of their being furnished with present comfortable subsistence, and that such future provision be made, as will make it their inclination to become useful Citizens in a peaceful Community.

We have the honor to be with due respect your Excellency's mo. ob. huml. Servts.

John Penn

Thos. Burke

Wm. Sharpe

Tr (Nc-Ar: Governors' Letter Books).

[1] The North Carolina troops under the command of Gen. James Hogun that had been stationed at West Point the previous winter had been compelled to depend on their own pay for supplies and clothing. Because of the depreciation of the currency and the limited availability of cloth in New York, their position had become untenable. At a meeting in early spring the officers resolved that they would resign to a man unless the North Carolina assembly met their needs. Unbeknown to the state's congressional delegates, the assembly had already taken action on May 15, 1779, in response to the officers' appeal by passing a resolution providing half pay for life, a land tax exemption, the right to purchase a new uniform and basic provisions at prices prevailing when they first entered the service, and half pay for widows of those killed in action. *N.C. State Records*, 14:vii-viii, 301-2.

North Carolina Delegates to Richard Caswell

Philadelphia May 20th 1779.

Sir

The Delegates of Virginia have Just now laid before Congress an Instrument from that State impowering them to Confederate with any one or more States and they have offered to do so in explicit Terms. The Inclosed is a Copy of the Instrument and we lose no time in transmitting it to you to be laid before the general Assembly.[1] We beg leave to inform you that certain appearances in Congress and in our general affairs make it Necessary to Come to some conclusive decision on the Business of Confederation. Some States seem not very clear that they are bound by any thing which has hitherto been done, and others Scruple not to declare that if Congress Should, on a Question for agreeing to Terms of peace decide in a manner Contrary to the Sense of those States they will Neither Submit or Confederate. It appears to us absolutely Necessary to have clearly and

Conclusively known What States will Consider themselves as bound at all Events to Submit to the decisions of the United Council, and to go hand in hand with their bretheren thro' all the Vicissitudes of Events and affairs. The Wisdom of the assembly will See the propriety of impowering their Delegates to do some Conclusive act upon this Solemn Requisition of our favored, and favoring Sister Virginia, whose Interests, habits, Manners and Inclinations are so similar and consenting with ours. We will not presume to suggest what that Act should be, but we wish to impress them With an Idea that dispatch is very necessary.

We have the honor to be with all due respect your Excellency's Ob Sev.

John Penn

Tho Burke

Wm. Sharpe

RC (NNPM: Signers of the Articles). Written by Burke and signed by Burke, Penn, and Sharpe.

[1] For the development of Virginia's position, see Richard Henry Lee to John Adams, April 24; and Virginia Delegates to the Virginia House of Delegates, May 22, 1779.

Roger Sherman to Benjamin Trumbull

Philadelphia May. 20th.1779

Sir,

Having an Opportunity by Mr. Erkelens I Send You the enclosed Paper which contains what News we have here.

I wrote to you by the Post on the 18th Instant. Yesterday Congress took into consideration the Subject of the currency which was considerably debated.[1] It is the general if not universal Opinion to make provision for defraying the public expence without continuing to emit Bills—'tis probable that the Several States will be called upon to furnish their Quotas of the necessary Supplies of money to be raised by taxes or any other way that the Legislatures may think. If further Emissions are Stopt, the currency will probably fix at a proper rate in proportion to the Quantity & become Stable, which perhaps is as much as may be expected while the war continues, unless a foreign loan Should be obtained which I Should not be very fond of if we can do without it.

I am Sir very respectfully, Your humble Servant,

Roger Sherman

[*P.S.*] General Spencer is well & presents his respectful compliments to You. He is well pleased with the piece Signed Honestus in the enclosed Paper.[2] R.S.

RC (DLC: J.P. Morgan Signers Collection).

[1] See Henry Laurens' Notes of Proceedings, May 19, 1779.

[2] See Sherman to Trumbull, May 18, 1779, note.

John Dickinson to Caesar Rodney

Philadelphia, May 21st, 1779.

Sir

Congress have this Moment formed the following very important Resolution, which I beg You will please to communicate immediately to the Council of Assembly, who I understand are now sitting.

"In Congress. May 21st 1779, Resolved, that these United States be called upon, in Addition to the sum required by Resolution of Congress of the 2d of January last, for their respective Quotas of forty five Million of Dollars, to be paid into the Continental Treasury before the first Day of January next, in the proportion following, that is to say"—then follow the Quotas which are exactly in the same proportion with those of the fifteen millions, called for by the Resolution of January last abovementioned—so that the Quota of our State will be 450,000 Dollars.[1]

The Emergency of our Affairs both foreign and domestic, owing greatly to the Depreciation of our Money, is grown so alarming, that every true Friend to his Country finds himself elevated to new Hopes & prospects by this vigorous Measure, which was become indispensably necessary as one step, to recover not only the Credit of our Currency, but even of our national Councils.

This operation will be followed, I expect, by others that will put us into a situation sufficiently respectable to confound our Enemies, & give Comfort to every true hearted Citizen of America. This will be delivered to You, Sir, by Mr. Jonathan Rumford, who on Behalf of Mr. Benjamin Ward Master of a Vessel from Bermuda, will present to You a Resolution of Congress for the Relief of the distrest Inhabitants of that Island[2]—I need not use any Arguments to interest your Humanity in the Cause of these unhappy People—Tho under the power of our Enemies, they are friends to these States, and as such are regarded by Congress and by his most Christian Majesty's Minister.

I am, Sir, with great Regard, your very hble Servt.

John Dickinson

[*P.S.*] The Bermudian Vessel is loaded with Salt, & if Care is taken, the Cargo may be divided between the three Counties, considerably to their Advantage—Such Salt sells here at ten pounds a Bushell, & Mr Rumford has pledg'd his Honour to me that it shall be sold at that Price in our States.

RC (PCarlD: Founders Collection).

[1] See *JCC*, 13:21-23, 14:626.

[2] For information on the measures taken by Congress for the relief of Bermuda, see John Fell's Diary, April 19, 1779, note.

John Fell's Diary

Friday 21st May [1779].

Commercial Committee. Congress. Letter from the Legislature of N Jersey for an explination of some Resolves of Congress, Referred to the Board of Warr.[1] Letter from Genl Thompson & Coll Webb in behalf of themselves, Genl Waterberry, Cols Housecker, Potter & Alison, to let Genls Philips, Esdale & their Aids, go to New York on Parole,[2] Committed to 3 vizt Spencer, Atley & Scudder. Order of the Day on Finance Agreed to Levy 45 Million of Dollars Per Tax this Year in addition to 15 Do allready ordered to be Raisd. Motion from Dickinson to have a Spireted Adress sent to the People at large shewing the Necessity of the measure, Committee to draw it up viz Dickinson, Drayton & Lee. Letter from Govr Henry of Virginia dated 12th Instt with an Acct of the Enemy being at Portsmouth. Petition of Dodge & Wood, who have been Prisoners at Detroit. NB Dr Weatherspoon gon home. NB The Gentlemen sent with the Letter from New Jersey Mr Elijah Clark & Silas Conduit [Condict].

PM. Went to Marine Committee did not make a Bd.

MS (DLC).

[1] The Board of War's May 22 response to the New Jersey legislature's May 19 request for information on the state's troop quota is in *Selections from the Correspondence of the Executive of New Jersey from 1776 to 1786* (Newark, N.J.: Newark Daily Advertiser, 1848), pp. 168–72.

[2] In a May 20 letter to Congress, William Thompson and Samuel B. Webb, prisoners of war in New York, explained that Sir Henry Clinton had authorized the parole of William Allison, Nicholas Haussegger, Robert Magaw, David Potter, Gold Silliman, David Waterbury, and themselves, on condition that like treatment be extended to Gens. William Phillips and Baron Riedesel and their aides and to Capt. Waterson of the Twenty-First Regiment. The committee to whom the letter was referred endorsed this recommendation, and on June 3 Congress authorized General Washington to make the proposed exchange and any others "as he shall judge beneficial or expedient." Although the American officers were paroled in keeping with this resolution, Phillips and Riedesel were halted on their journey to New York and were not permitted to continue on their way until November when Sir Henry Clinton threatened to retaliate. See *JCC*, 14:623, 679, 15:1031, 1114, 1264, 1266; and PCC, item 78, 22:633–36, 24:113–16.

Samuel Holten's Diary

[May 21, 1779]

21. Friday. Congress agreed upon a tax of 45,000000 dollars, to be paid by the 1st of Janry. next.

MS (MDaAr).

John Jay to Thomson Mason

Philadelphia 21 May 1779

Sir,

Your Favor of the 17th Inst, was delivered to me Yesterday morning— It contains the first authentic & most particular Account of the Enemy's Operations in the Bay that Congress have yet received.[1]

I am happy to hear that the Militia turn out with Spirit—God grant that by reaping Laurels they may be compensated for being obliged to neglect their other Crops.

I have the honor to be Sir, your most Obedient And Humble Servant.

J.Jay

LB (DNA: PCC, item 14).

[1] See *JCC*, 14:617. Mason's May 17 letter to Jay, reporting the appearance of "forty Sail of the Enemy . . . in Hampton Road on Sunday the 9th Instant" and their attack on Portsmouth the following day, is in PCC, item 78, 15:441–44. Thomson Mason (1735–85), the brother of George Mason of Gunston Hall, was a resident of Loudoun County, Va. He represented three different counties in the House of Burgesses in the course of a long career as a Virginia legislator. *DAB*.

William Whipple to Josiah Bartlett

Philadelphia the 21st May 1779

My Dear Sir,

My last I think was the 11th inst[1] since which I have not been favored with any of Yours. I have been some time in expectation of a Colleague to supply the place of Mr. Frost, who I suppose must have been at home some weeks. My Task is really arduous, but my anxiety to see a determination of some important matters now under consideration prevents my pressing a speedy relief.

The State of the currency is truely deplorable, but not so alarming in my judgment as the failure of public Virtue, the former may possibly be assisted by human means, but we must depend on him who alone can control the hearts of men to establish the latter. We are now about trying once more what can be done to save the sinking credit of the money, the prevailing Opinion is that nothing will do but (I was going to say) *excessive* Taxes, but I will soften the epithet, & adopt the words *very high* if a sufficiency can be raised by Taxes to support the war, farther emissions will be unnecessary, this is part of the plan now under consideration, a consequent Resolution past this day to raise 45,000,000 to be paid in by the 1st of Jany. I must suspend giving you my Opinion of this measure for the present, let it suffice to say there was a great Majority in favor of the question, & but a small Majority against the Question for 60,000,000 this is a bold Political stroke, and I hope will be carried into effect, as to all appearance nothing else can save us from destruction, the People in this part of the Country are every where clamerous for heavy Taxes, the greatest difficulty appears to me is, the levying it on the proper persons, if the whole sum could be drawn from those speculating miscreants, who have been sucking the Blood of their country, it would be a most happy circumstance and I hope the assessors will be particularly attentive to those people, He who increases in wealth in such times as the present, must be an enemy to his Country, be his pretentions what they may. If the Connecticut mode of collecting Taxes was adobted the business would be much facilitated; In that State five or six Taxes are collected in a Year by that means they collect very large sums without produceing the least uneasiness among the people. If the people are duely impress'd with the advantages they will derive from paying in their money while it is at the present low state they certainly will do it with chearfulness. Spirited measures with the Property of the fugitives, as well as with the persons of the resident, enemies to the Revolution, would in my humble Opinion have an exceeding good effect, at this particular Crisis.

The Enemy seem determined to carry on a predatory war agreeable to the threats held up in the British Commissioners Proclamation last Summer. Their Conduct in Virginia is an evidence of this, for the particulars I must beg leave to refer you to the new papers. Time only can inform us of the events of the present Campaign, but this we may be assured of, that nothing is so likely to give us success as vigorous & decisive measures both in Council & in the Field. A Mr. Hamilton Govr of Detroit is taken prisoner (by Major Clark of Virginia) with his Garrison at a post he held on the Ohio,[2] this vipers nest has been exceedingly troublesome to our frontiers, Whether our troubles in that quarter will be soon ended, depends on the success of the expedition into that Country under the Command of Genl Sullivan. Whether we shall have any naval assistance from our ally (depends in my judgment) on the Chapter of accidents but this is not the Opinion of many others; but Mum!

I want every State in the Union to feel the importance of Sovereignty, & I wish the United States were fully sensible of their importance among the powers of the Earth; we should then under Heaven depend on our own strength, & banish from among us every Idea of servility, which now like the Tares among the wheat, prevents the growth of that virtuous republican pride so essential to the happiness of America. You have several times mentioned to me the Flagg that was detained by order of Congress & as I know the importunity of the people must be very troublesome I heartily wish Congress could be prevailed on to decide on that matter but from various causes nothing has Yet been done 'tho several reports have been made & recommitted, on the whole I think it will be best for the executive authority of the State to act their own judgment in that matter.

Mr. Emerson of Durham who was a Commissioner of accots. died here last week of the small pox after three or four days illness,[3] I shall get what

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formation I can of his affairs here, for the satisfaction of his Family, with hom I most heartily sympathize.

I am very sincerely, Your Friend & Huml Sert,

Wm. Whipple

C (MB: Chamberlain Collection).

[1] Not found.

[2] See William Fleming to Thomas Jefferson, May 22, 1779, note 4.

[3] Moses Emerson (1717–79) had been appointed a commissioner of accounts for the eastrn district in February 1778. See *JCC*, 10:114, 14:670, 723, 15:1027, 1067, 1078; and Vhipple to Ebenezer Thompson, July 19, 1779.

John Armstrong, Sr. to Horatio Gates

Philadelphia 22d May 1779

Dear General.

In answer to your favour of the 27th Ulto, please to accept my thanks for that friendly & good letter, in which I must not Overlook your pious wish for the *Wisdom* & *Integrity* of Congress. Neither Niagara nor Detroit are in contemplation, the *Seneca Indians* & *their connexions* whether Tories or others, are I presume the only present object of our Arms to the North. Genl. Sullivans movements & Operations will probably give the Enemy an Opportunity either to elude or by their Canadian Assistance to Overcome him—we must hope the best, the Enterprise being absolutely necessary, for with how much propriety soever Peace may be made with any other tribe who shall offer it, the arrogance & barbarous mischiefs of the former cannot be dispenced with, nor is retaliation the only thing in view, but the prevention of much greater evils than those already effected which we cannot doubt under the direction of Butler or some other person of note, our enemies have in immediate contemplation. Sullivan has asked of Congress two Extra Aids DeCamp for the Campaign, not yet granted nor ought they to be.[1]

The Packet from France to which you alude brought us the news of the birth of a Princes of that Nation under the hand of the King! Shortly after, we received an intimation from the Minister of the intended or expected return of the Count DeEstaing to our Coasts for *important purposes*, taking Georgia & South Carolina in his way. (Secrecy enjoined by Congress) latterly by a letter from Mr. Bingham an Agent at Martinique we have reason to doubt the coming of the Count.[2] I wish I cou'd give you a more favourable relation of sudden & vigorous exertions in our House for recovering the expiring credit of our Money and in the dispatch of our foreign affairs, whereon depends the Political life of America. Sometimes our efforts point that way & promise a happy progress in the plainest path that ever pure necessity pointed out to man, but anon a diversion is made, new & impertinent matter thrown on the Anvil under Specious Colourings tending at least to Such delay as may be fatal; thus like the Scale of the beam we rise & fall. The prices & rise of things here are truly allarming. The virtuous Mob (25th May)[3] are now begining to appear & perhaps may in some degree correct these errors which the inattention of Others have Suffered to grow to the present enormous heighth.

Portsmouth & Suffolk in Virginia are laid in Ashes & some considerable loss of Publick & private Stores, Shiping &c must be Sustained at those Ports. The hostile Steps of the Enemy are Said to be marked rather with the barbarities & Cruelties, than the National & known rules of War. I am of Opinion they intend no long Stay where they now are, being under three thousand or perhaps under two in number, but will set out for the South, or attempt the Same business at Baltimore. The Soldiers on furlough and new recruits intended for the Southern Army joined to the Militia will we expect Soon drive them from Virginia.

Dr. Brown is not yet returned to this place. I presume Major Armstrong has Shewn you a paragraph in my last to him by Mr. Newcome, in regard of your letter of Cristmas last to Mr. Jay.[4]

I am dear General with every Cordial Wish, and Respectful Compliments to yr Lady & Family, Your Affectionate friend & Humbe. Servt.

John Armstrong.

RC (NHi: Gates Papers).

[1] Gen. John Sullivan's May 20 letter to Congress requesting that he be allowed four aides "for the present Campaign," which was read this day and referred to the Board of War, is in PCC, item 160, fols. 245-48; and Sullivan, *Papers* (Hammond), 3:25. *JCC*, 14:626.

[2] In his April 13 letter to the committee for foreign affairs, William Bingham had reported that d'Estaing had just received orders from France to remain in the West Indies. See PCC, item 90, fols. 77-86; and *JCC*, 14:579-80.

[3] Although this passage indicates that Armstrong interrupted this letter and resumed writing it on May 25, it is not clear from the appearance of the manuscript at which precise point he had left off before resuming the writing.

[4] Armstrong may have written to his son—Gates' aide Maj. John Armstrong, Jr.—on the subject of a proposed expedition against Quebec, a subject close to Gates' heart. Armstrong's "last" letter to his son has not been found, but Gates' draft of a letter on the subject of such an expedition, dated December 25, 1778, the only one of that date in the collection, is in the Gates Papers, NHi.

John Fell's Diary

Saturday 22d May 1779.

Commercial Committee. Congress. Several Letters Read, and an affadavit of Particulers relating to the Cruelty of the Enemy in Virginia &c. Memorial from the State of New York, relating to the seperation of the State of Vermont, Postponed the consideration till next Saturday. The order of the day on foreign affairs deferred till Tuesday on Account of a Long letter from the Seiur Gerrard.

MS (DLC).

William Fleming to Thomas Jefferson

Philadelphia, 22d May, 1779.

Dear Sir,

I promised myself the satisfaction of receiving letters from some of my friends by the express who brought the distressing account of the enemy's success at Portsmouth,[1] but I have not recd. a letter from Virginia since my arrival here, except from Mrs. Fleming.

I am apprehensive the enemy will commit great ravages before an effectual check can be given to their progress, as the dispersed situation of our militia, & their want of arms & accoutrements, will greatly retard their operations, be them ever so spirited & active.

From the best observations I have been able to make, our great concerns wear a very gloomy aspect, owing principally to the rapid and excessive depreciation of our money, which is almost beyond conception; and the misfortune is, the mischief is daily increasing, and no man can see where it will stop; and I am persuaded if something effectual is not speedily done, it will in a short time cease to be current at all. Should that happen, the disbanding our army must inevitably be the consequence. When I came here, the 27th of April, the difference between paper & gold was sixteen for one, and I was yesterday told by a member of congress that £75 a peice is now given for half Joes. Provisions, and all kinds of goods rise in proportion to the depreciation of the paper money. Add to all this that our credit with foreigners is sinking a pace, and the enemy in possession of most of our ports to the southward of Rhode Island; which will consequently increase the difficulty of procuring cloaths for our soldiers, & military stores, should the war be continued, which is a thing not at all improbable, but will, in my apprehension, depend in a great measure on Congress.

I am of opinion the enemy have pretty well lost sight of conquering America by arms; for instead of drawing their force to a point, and making an effort against our grand army, it seems to be their plan to carry on a kind of piratical war in detached parties, by burning our towns, plundering our sea coasts, & distressing individuals; besides endeavouring, by every artifice in their power, to destroy the little credit, left, of our paper money, to sow dissentions, & create divisions among us, and, if possible, to wean a party from the alliance with France—and, that being effected, to offer independence to America on her entering into a treaty, offensive & defensive with G. Britain. These are my conjectures—whether well or ill founded, time perhaps may discover.

Genl. Thompson, and several other officers of rank, are just arriv'd from N. York on parole. The enemy there are about 7000 strong, including American recruits, of which they have a great proportion. They have recd. no reinforcements from Europe this spring.

I think we have little to fear but from the depreciation of our money; and from that source we have, in my opinion, much to fear. There are between 130 & 140 millions of dollars now in circulation; and congress, to make one bold effort to restore its sinking credit, yesterday, passed an act to call on the states for their respective quotas of 45 millions of dollars, by the first day of next January; and this (if it can be effected) will not answer the end, without the aid of a foreign loan; for unless some such measure can be speedily adopted, the emissions between this and the first day of January, must greatly exceed 45 millions of dollars. The demand appears large, & doubtless it is so; but the very critical situation of our affairs seems to make it not only expedient, but absolutely necessary; and I am hopeful a plentiful crop this year will enable our people to pay it without making sale of much of their property, besides the produce of their lands, & many will pay it with less than a fourth of that produce. On those who have no land it will fall the lightest. An address from congress to the people of each state, shewing the situation of their affairs, & the necessity for the measure, will accompany the requisition.[2] What cannot be raised by taxes must, I suppose, be borrowed; but in my opinion, the less of the latter the better. I believe most of the states to the northward of Virginia will raise their whole proportion by taxes; and if Virginia (instead of laying high taxes, now the produce of her lands are high) should give too much into the scheme of borrowing, she will have the greatest part of her enormous debt to pay with interest, when (the money having in a great measure recovered it's credit) her commodities will have fallen many hundred per cent; and the consequence will be that your speculating harpies, who have large sums of money in their hands, will carefully lay it up as soon as they see its credit established, to purchase your lands & negroes at an under value.

Our misfortune is, that the bulk of the people, thro'out the states, seem to have lost sight of the great object for which we had recourse to arms, and to have turned their thoughts soley to accumulating *ideal* wealth, and preying upon the necessities of their fellow citizens.

I have heard much, but seen very little, of patriotism & public virtue: If there is any remains of it in America, this is the season for calling it forth, and for it's utmost exertions.

France has done generous things for us, to which she was not bound by treaty, and if we will but be firm & united, all may yet be well.

It is of the utmost consequence that the confederation be speedily ratified. It would in a great degree give force & energy to the proceedings of congress, and defeat the hope our enemy entertains of dividing us. Maryland is the only state that now refuses to accede tho' many of the states have acceded on condition that all the rest come into the confederation. The Maryland delegates, a few days ago, delivered in, to congress, an instruction from their assembly on the subject; and a very extraordinary, indecent performance it is. A copy will be sent by the express to our assembly for their consideration, and I hope we shall be favoured with a proper comment upon it.[3]

I am afraid I have trespassed on your patience by dwelling on so melancholy a subject, but I thought it necessary to say something on what appears to me to be the state of our affairs, and having entered on the subject, could not well say less. When I speak of facts, what I say I know to be true—the rest are mere conjectures I have ventured to make from particular circumstances which have occurred.

We are just informed, by report, of some horrid depredations of the enemy, which, if true, I hope will rouse the spirit of our people, as their conduct in 76 did that of the people of Jersey.

We have a report, from different quarters, that colo. G.R. Clarke has made prisoner the Governor of Detroit (one Hamilton) with about 3[ ] privates, who are now on their way to Wmsburgh.[4]

I am with great esteem, Dr Sr. Yr. affect. friend & servt,

Wm. Fleming.

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 2:267–70.

[1] See Fleming to Jefferson, May 10, 1779, note 3.

[2] For the report of the Board of Treasury and the address to the states, see *JCC*, 14:519, 522, 533, 561–62, 586, 625–26, 643, 649–58.

[3] See *JCC*, 14:619–22; and Virginia Delegates to the Virginia Assembly, this date.

[4] Col. Henry Hamilton, commander of British forces at Detroit, had led a mixed force of regulars, Indians, and Canadian militia to Vincennes, in an effort to regain control of the Illinois Country from Col. George Rogers Clark. After the British had recaptured Vincennes, Clark returned and forced Hamilton to surrender the post on February 25, 1779. Hamilton was sent as a prisoner to Williamsburg, Va. Jack M. Sosin, *The Revolutionary Frontier, 1763–1783* (New York: Holt, Rinehart, & Winston, 1967), pp. 116–20. For Clark's detailed report on the recapture of Vincennes, see his April 29 letter to Governor Patrick Henry, in Henry, *Patrick Henry*, 3:233–38.

John Jay to George Clinton

Philadelphia 22 May 1779.

Dear Sir,

I have now the Pleasure of transmitting you a Copy of certain Resolutions moved in Congress this morning respecting the pretended State of Vermont.[1] They were introduced by Mr. Morris with a proper prefatory Speech. On Saturday next the House will be resolved into a Committee of the whole to take them into Consideration. What may be their Fate is uncertain, tho I am by no means without Hopes of Success. They are temperate & founded on plain Principles. Opposition will hence be more difficult, and their Defence more certain. The Yeas and Nays shall be called on every Question respecting them; and I will furnish you with a minute Detail of the Proceedings of Congress in every stage of the Debates on the Subject. The Delays attending this Business have been unavoidable, and rather unpleasant than prejudicial. It will now be pressed forward, and you may rely on our utmost Exertions and Care.

I now send you some Papers and Journals. My best Respects to Mrs. Clinton. I am, dear Sir, very sincerely yours &c. John Jay.

Reprinted from Clinton, *Papers* (Hastings), 4:840-41.

[1] This day Gouverneur Morris introduced a motion concerning New York's controversy with the Vermont separatists, calling for congressional endorsement of the principle that no part of a state could "separate therefrom, and become independent thereon, without the express consent and approbation of such state," and recommending "to the inhabitants of the said pretended State of Vermont, to return peaceably to their former jurisdictions" while Congress examined their grievances. *JCC*, 14:631-33. Congress thereupon resolved to take up Morris' proposal in committee of the whole on May 29. For the result of those deliberations on the 29th and Congress' June 1 decision to send a committee to the "New Hampshire Grants, and enquire into the reasons why they refused to continue citizens of the respective states which heretofore exercised jurisdiction over the said district," see John Jay's Notes of Debates, May 29; and New York Delegates to George Clinton, June 1, 1779.

John Jay to Conrad Alexandre Gérard

May 22. 1779

The President of Congress presents his compliments to the Minister of France, and has the honor of transmitting to him Copies of three Letters—two from Governor Henry, & the other from Thomson Mason Esquire containing Intelligence of the Enemy's Operations in Virginia.

LB (DNA: PCC, item 14).

John Jay to the States

Sir, (Circular) Philadelphia 22nd May—1779.

You will receive herewith enclosed a Copy of an Act of Congress of the 21st Inst calling on the States for forty five Millions of Dollars.[1]

The late rapid depreciation of the Currency demanded a speedy & effectual Remedy. While the great purposes for which the money was originally issued are remembered, there can be no doubt that every Measure calculated to support it's credit and preserve the public faith will be readily adopted.

I have the Honor to be, With great Respect, Your Excellency's, Most Obdt Servant,

LB (DNA: PCC, item 14).

[1] In adding $45 million to the $15 million that the states had been requested on January 2 to contribute as their 1779 quotas, Congress on May 21 also appointed a committee of three "to prepare an address to the several states on the present situation of affairs, and particularly on the necessity of paying their respective quotas." *JCC*, 14:625-26. See also Henry Laurens' Notes of Debates, April 29 and May 19, 1779; and Joseph Spencer to Oliver Ellsworth, May 25, 1779, note.

John Jay to George Washington

Philadelphia 22nd May—1779.

Sir,

I have the Honor of transmitting to You, herewith enclosed, Copies of three Letters respecting the Enemy's Operations in Virginia—two from his Excellency Governor Henry of the 11th & 12th Inst—& the other from Thompson Mason Esquire of the 17th Inst.[1]

Last Night I received a Letter from James Calhoun enclosing a Virginia Gazette of the 15th Inst, and a deposition of Joseph White taken the 20th Inst. These Papers have not yet been communicated to Congress, but as the Intelligence they contain is interesting, I transmit you a Copy of the last, & some Extract of the first.[2]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient & Humble Servant.

John Jay, Presidt

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See *JCC*, 14:617, 622–23; and PCC, item 71, 1:225–32, item 78, 15:441–44. Thomson Mason was aware that Gov. Patrick Henry had sent Congress an official report on the arrival of enemy ships in the Chesapeake and the British capture of Portsmouth, but he presumed nevertheless to rush his own account of the invasion to Philadelphia because, as he explained, Henry's messenger had been found "drunk upon the Road." Mason's message was read in Congress on May 20; Henry's letters on the 21st.

[2] See *JCC*, 14:627. James Calhoun's May 20 letter to Jay and the enclosed deposition of Joseph White concerning the arrival of enemy vessels at Hampton Roads on May 9 are in PCC, item 78, 5:349–53.

Richard Henry Lee to Thomas Jefferson

Philadelphia May 22. 1779

Dear Sir,

I have paid due attention to your favor of April the 21st., and I believe there would have been no difficulty in obtaining what is desired for Baron de Geismar[1] had not the enemy created the difficulties that do exist. They absolutely refuse to admit partial exchanges, and they have lately proposed such unfair terms for general exchange that nothing can be done in either of these ways. They will not allow one of our Officers to come out on parole, if like permission be granted to one of theirs, as appeared in the case of Major de Passeren[2] of the Regiment of Hesse Hanau. Upon consideration of this matter with your friend Mr. Peters, who is one of the Board of War, we conclude the way to put this matter into the best train will be for the Baron to apply to the British Commander in Chief for this parole exchange, and write to Gen. Kniphausen to support the request. That these letters be sent here to the Board of War, and they will immediately forward them thro the Commissary of Prisoners expressing their willingness to gratify the Baron. An objection is raised here to gratifying this Officer without receiving something like an equivalent from the enemy, as tending to encourage their obstinacy in refusing a general exchange on terms of fair equality, by which our captive Officers [*suffer?*].

We have no news here but what comes from Virginia. All good men are waiting with anxious expectation to hear that our Countrymen have given these wicked Invaders cause to repent of their undertaking.

We have been told that Colo. Hamilton of Detroit is our prisoner, made so by the brave Colo. Clarke. I wish it may be true, and I hope the Prisoner will be well secured, because his enmity to us, his activity, and influence among the Indians, are equal, and all very great. My respects to Mr. Wythe and my other friends. I am dear Sir yours sincerely,

Richard Henry Lee

RC (DLC: Jefferson Papers). Jefferson, *Papers* (Boyd), 2:270-71.

[1] In his April 21 letter to Lee, Jefferson had strongly endorsed the exchange or parole of the baron de Geismar, a captain of the Hesse-Hanau regiment who was a Convention Army prisoner in Charlottesville, Va. Ibid., p. 255. Col. Theodorick Bland, who commanded the guard detail at Charlottesville, also wrote to George Washington on May 31 concerning an exchange (Washington Papers, DLC). Washington's reply of June 28 and his recommendation of July 22 to the Board of War for exchange, but not parole, are in Washington, *Writings* (Fitzpatrick), 15:338-39, 459.

[2] See John Fell's Diary, February 20, 1779, note 1.

Virginia Delegates to the Virginia House of Delegates

Sir, Philadelphia May [22, 1779]

Having [informed] Congress on the [20th] of our instruction from the honorable Assembly the 19th of December last touching a final ratification of the confederacy,[1] our motion was followed the next day by the inclosed intemperate paper presented by the Delegates of Maryland to Congress and at their motion placed on the journal.[2] We have the honor to transmit this paper to you, that the Assembly may, if they judge it proper, direct a counter declaration to be prepared, which being placed on the same journal may prevent future arguments derived from a claim now set up [and] not now controverted. We observe that Connecticut has furnished her Delegates with instructions concerning the Confederacy[3] similar to those that we have received, and we hope that no State will be found to abet Maryland in her unreasonable claim. The declaration, to which the inclosed instructions allude having been some time ago published, we thought it unnecessary [to] detain the Express for a copy at this [time].

[We have the honor] to be Sir your most obed[ient and very humble serv]ants,

Meriwether Smith

Richard Henry Lee

Wm. Fleming

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RC (Vi: Continental Congress Papers). Addressed: "Honorable Speaker of the House of Delegates of Virginia." Written by Lee and signed by Lee, Fleming, and Smith. Tr (Burnett, *Letters*, 4:224-25). RC damaged; missing words supplied from Tr.

[1] Although instructions received by the Virginia delegates had contained five resolutions, the delegates permitted Charles Thomson to copy only the first two on May 20. According to his endorsement, the "original was taken back by the delegates because it contained other & farther instructions which they did not think proper at that time to lay before Congress." For those instructions, see Virginia Delegates to Patrick Henry, May 17, 1779, note 1. For Thomson's copy of the first two resolves, which were entered in the rough journal for that day, see Continental Congress Collection, DLC; and PCC, item 1, 22:87-88. See also *JCC*, 14:617-18. With Thomson's copy of the resolves is a declaration also laid before Congress on May 20 and signed by William Fleming, Cyrus Griffin, Richard Henry Lee, and Meriwether Smith, which stated that "In Consequence of the foregoing Instructions & Powers to us given We do hereby declare that we are ready & willing to Ratify the Confederation with any one or more States named therein, so that the same shall be forever binding upon the State of Virginia."

[2] For the "intemperate paper presented by the Delegates of Maryland"—instructions concerning confederation adopted by the Maryland Assembly on December 15, 1778, but withheld until "a proper time" as ordered—see John Henry to Thomas Johnson, January 20, 1779.

[3] The Connecticut Assembly's resolution authorizing the state's delegates to "ratify and confirm said articles of confederation" were laid before Congress on May 21. See *JCC*, 14:624.

Richard Henry Lee to Arthur Lee

{Congress} May 23. 1779

{Dear Brother}[1]

As I shall have occasion frequently to mention {name}s in the course of {this letter} remember that the {column}s in the {system} of {name}s are {number}ed 1. 2. 3. 4. 5. Since my last the {party} have pushed a {vote} for {your recall} but they have {fail}ed, the {state}s being {divide}d. Nothing has been done since. But every thing will be attempted to {injure you} regardless of {truth, virtue}, or {public good} tho the last is the pretext and forever {protrude}d in some {mouth}s. Tis remarkable that the uniform, fixt, invariable {Whig}s are for {you}. Those against {you} are generally well known in America. The latter are {mark}ed in {the list}, "T". The papers 1. 2. 3. 4. will {show you} the {ground} they {were} on. What part {Gérard}[3] has taken the papers 2. 3. 4 will {demonstrate}. I believe verily that {Deane} is not more your {enemy} than {Gérard}. And the latter possibly more bitter and much more subtle. It would be well to search diligently if {Gérard} is not connected in some {intrigue} with {Deane}. Our cruel enemies have lately invaded Virginia with 2000 men and taking the advantage of the dispersed state of the people there, they have burned Portsmouth, & Suffolk, and every house they came to. Murders in cold blood and rapes without end mark their way. Every outrage and every ravage that would disgrace the worst Savages they have committed. The people are collecting and will be in force very soon to punish these Wretches. But according to custom, as soon as they see a force equal to their own collected, they will fly to their Ships, and by crossing a wide river with their Ships of War to cover them, begin their ravage in another part. This will {carry} me {home} to take care of my {family}—And {leave}ing the {foreign} and {Deane}'s affairs unfinished in {Congress} much {distress}es your {friend}. It is very remarkable that those Men who from the beginning of this contest have been the most decided friends to the Liberties of America and the firmest opposers of British Tyranny, and who in the hour of Trial will be found most true to the Alliance, are the Men whom {Gérard} has shewn the least desire to be {welcome with}. Another sort of Men have shared his {friendship} and {familiarity}. This has been the policy of the British Court for 15 or 16 years past. Time will prove if tis a wise one in {Gérard}.[2] The {first describe}d class of men are not {friend}s to the {intrigue}s of Deane, Chaumont, Holker, Williams, Wharton, Bancroft, Beaumerchais &c. &c. &c. &c.

If Ludwell is not necessary for you, he is I suppose quite fit now to commence the Study of such part of the law as may fit him for early practice, and therefore it is wish'd he may avail himself of coming over in the first safest Ship—Either a frigate of ours, or in any Ship of War of our Ally coming this way. He should come well provided with Linnen & other cloathes, with a few necessary Books. If Mr. Wm. Lee has no business for Thom he may come over likewise—But this is left entirely to Mr. Wm. Lee on whose judgement and friendship his father depends. Mr. Wm. Lee and yourself were both written to very fully and lately via Nantes—Furnish the former with the contents of this and with the Writers best love.

Twould do infinite good if this most wicked combination against you could be fully explored and exposed. I am persuaded there are no worse enemies to America and the friends of America than these people. I am well informed that the {vote} about your {recall} gave great uneasiness to the {Whig}s in this State. They consider it as coming too near to {sacrifice}ing one of themselves and their good & able friend. Make an apology for my not writing to our {brother}. I am quite exhausted with long and close attention to variety of business. {Richard Henry Lee}

P. S. 25. Many of your friends are of opinion that it will be for your honor that you should be called here in order to bring {Deane} to justice. Should this be the resolution, I entreat you to spare no pains in collecting the most authentic proofs, for I am very certain that there has been so much misconduct and {wicked traffic} with the {public money} That you will do honor to yourself and serve your country by breaking up this bad man and his very bad connections. Unless you come in a strong Ship of War or otherwise powerfully convoyed {carefully conceal} the {time} and manner of your {coming}. You know the virulence of yr. enemies, notice may be {given} in order that the {enemy} may place you to languish in a British jail.

Altho the plan for recal should not finally be carried, yet your friends are of opinion that the violence & wickedness of your enemies is such, that

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they think it will be wise in you, to take the first favorable opportunity to resign, or rather ask leave to do so. I before mentioned and again repeat my earnest wish, for I think it indispensable that when you come you bring every material for making the fairest and fullest settlement of the expenditure of such pub. money as has passed thro you, or been entrusted to your care. It will by no means be proper for one of us to endeavor to shelter ourselves, as some bad men do, under a thousand delusive pretexts for not settling accounts and demonstrating the rectitude of our conduct. If you come, I suppose, that as you cross the Sea, having the necessary Materials, you may be digesting a complete state of all your transactions and your well supported ideas of {Deane}'s culpability. I {set off} this {day} to guard my {family} from the insults and cruelty of the enemy.

Capt. Nicholson says that Williams bot for Dean a prize Brigantine that he captured, and that she came out loaded with private property with our fleet in spring 1777. Enquire about this & the manner in which Williams disposed of all the prizes committed to his disposal.

RC (MH-H: Lee Papers).

[1] Words printed in braces in this text were written by Lee in cipher.

[2] At this point Lee wrote "419aXXVIII," which in the Lee cipher indicates the word "welcome," and was so employed just three lines above. Since "welcome" makes no sense in this context, it seems clear that Lee erred in his use of the cipher. The sentence appears to make the best sense if it is assumed that Lee had in mind "Gérard," and therefore should have written "455.b.1.XIV," which he did four times previously in this letter. For the cipher used by the Lees and the conjectural element involved in deciphering their correspondence, see these *Letters*, 9:654n.2.

Maryland Delegates to George Washington

Philadela. May 23d 1779.

Dear General

We had the Honor of a Letter from his Excellency the Governor of Maryland last night, by express, dated on the 20th Inst.[1] The Devastation and cruelties hourly committed by the Enemy in Virginia, and the probability of their acting the same part in Maryland, unless timely prevented, has justly alarmed the people of that State. We lament that the Army under the Command of your Excellency does not admit of a Detachment from the Maryland Troops. Were it possible to head the Malitia by a small Body of regular Troops, they would turn out with more alacrity and act with greater vigour thus incorporated, than alone. It may indeed happen, that the present views and progress of the Enemy may render any extensive preparations for Defence in Maryland unnecessary. But the Destruction of Portsmouth and Suffolk joined to the Threats of the Enemy are sufficient to induce a belief in the minds of the Citizens of Annapolis and Baltimore, that their Cities are not safe unless defended by superior force. We have no accurate knowledge of the strength of your Army, nor any precise Ideas of your Excellencys present plans of operation, and therefore tho' we, as individuals and Citizens of the State of Maryland wish, yet we do not look for any immediate aid from the main Army. Such as is consistent with the good of the whole, should the State be actually invaded, we know we shall receive. The principal Design of our writing to you at this time, is to inform your Excellency of the desire of the Governor of Maryland, to have Genl. Gist sent down to Baltimore to head the Militia. He is a native of that place, has considerable weight with the Militia and will be of much Service if that City is attacked. Should the State be invaded, we cannot help suggesting in addition to the request of the Governor, considering the inexperience of Militia officers in general, that one or two other regular officers would also be found extensively useful, if the state of the Maryland Troops will admit of it, but the propriety of this step we leave altogether to your Excellency and have the Honor to be, with the most cordial affection, your Excellency obedt & hble Servts.[2]

John Henry Jun. Geo Plater
Daniel of St Thos Jenifer Wm Carmichael

RC (DLC: Washington Papers). Written by Henry and signed by Henry, Carmichael, Jenifer and Plater.

[1] The Maryland Council's May 20 letter to its delegates conjecturing the destination of the British forces that had just entered the Chesapeake and attacked Portsmouth is in PCC, item 70, fols. 327–30, and *Md. Archives*, 21:404–5.

[2] In his May 25 reply to the Maryland Delegates, Washington indicated that he had "requested General [Mordecai] Gist to repair to Maryland as soon as he can" but could spare neither a detachment of troops nor other officers for the state's defense. Washington, *Writings* (Fitzpatrick), 14:146–47.

John Fell's Diary

Monday May 24th. [1779]

Com Committee. Congress. A very long letter, from Mr Deane & a great deal of Debate, to very little Purpose and very little Business done.

MS (DLC).

Whitmell Hill to Thomas Burke

24th May 1779. Having left Philadelphia about April 23, Hill had arrived at his home in North Carolina on Friday, April 30. "Being at home eight Days, my Duty lead me to wait on our Assembly, then met at Smithfield,[1] a rascally Hole for such Business. The Assembly called on me to know whether I thought there was any probability of having their Continental Troops sent to our Assistance; I answered that the Delegates had pointed out the absolute Necessity there [wa]s for those Troops being sent to the Southward, when it was as forcibly opposed & asserted that the Enemy could not possibly mean to prolong the Campaign in the Southern States but by way of Diversion; this now, however, seems to be found erroneous. I told them, that perhaps a formal Application from the State with the notoriety of the necessity, might induce Congress to grant us the Aid. I likewise advised the application to Congress for Money[2] and instanced the Sums granted to Pensylvania & So. Carolina,[3] and as our Militia are always carried out of their own State to Action, where our Curr[enc]y will not be recd. our Men with their pockets full of Money must starve for the little comforts of Life which are absolutely necessary in a Camp; therefore hope you will forcibly urge the grant of the Money, if they mean to protect this part of the Continent; if not, desire them to declare so, that we may know what ground we are on.

". . . . The Assembly have determined to fill their Continental Battalions, tho I assured them it was my Wish never to s[ee a] Man sent from this State to the North of Virga. which they approve of, but are so sensible of the insufficiency of our Militia Exertions, that they deem the completion of their regular Regts. essential to the Salvation of the S. States—our Assembly & People are really zealous and determined in the cause, but many confess that Congress stands very low with them, particularly our speculative Gentry who met with heavy losses on the Bus[iness?] of the important Secret &c.[4]

". . . . Messrs. Harnett & Penn were appointed Delegates this Session,[5] and expect Mr. Harnet will relieve you shortly. . . . The Assembly have allowed £5000 to their Delegates during the time they are in public Service &c.[6] possibly, this may, for a short time, equal your Expences. Our Assembly has the Assistance of Mr. Johnsons Abilities, with a considerable number of new hands quite strangers to me; but I think public Business is not conducted with any greater degree of Brilliancy than heretofore; least ways the same Order is not preserved as Mr. Jay keeps up in the *August Assembly of the Continent*. . . .

"I think to return to Philadelphia some time in the Fall tho perhaps not to Congress, indeed I could not, if inclined, till after another appointment,[7] on which shall not determine till I have the pleasure of seeing you. Inclosed you'll receive Mr. Draytons Official Letter[8] to the Delegates of our State which you may perhaps have occasion of.

"You'll first and principally present my best respects to Mrs. & Miss Vining, Doctr. Bond & Col. Cadwalader and to Mr. President Jay, G. Morris, J. Duane, Carmical, Paca, Henry, Plaiter, Col. Atlee, M. Smith, Adams, Griffin, Penn, Drayton & Langworthy, to those Gentn. I wish Health & Happiness, to the residue of your honorable Body I sincerely wish better Hearts; to me they will no doubt repay the Complt. by wishing me a better Head."[9]

RC (Nc-Ar: Thomas Burke Papers). The bulk of this letter is printed in the *N.C. State Records*, 14:1-4, without date. The complete text of that version is actually parts of two separate letters that were erroneously transcribed into Burke's Executive Letter Book. As printed, the first five paragraphs are the initial four pages of the May 24 letter from Hill to Burke extracted here, whereas the last four paragraphs are the final two pages of an undated letter fragment from Hill to Burke written "about a fortnight" later. All six pages of the original May 24 letter and both pages of the early June letter fragment are in the Burke papers. Burnett printed an extract from the text in the *N.C. State Records*. Burnett, *Letters*, 4:241–42.

[1] The North Carolina assembly met at Smithfield May 3–15, 1779. Hill probably met with the assembly on May 10 or 11. See *N.C. State Records*, 13:735–824, for the senate and house journals, the latter of which ends on May 12.

[2] For North Carolina's application to Congress for a loan and its request that North Carolina troops from Washington's main army be ordered to march to the defense of South Carolina, see *JCC*, 14:760, 819–20, 826–27.

[3] Hill is undoubtedly referring to the $2 million appropriation for Pennsylvania voted on April 9, 1779. Although no similar appropriation for South Carolina appears in the journals, Hill is probably referring to separate sums of one million each remitted on February 9 and March 19 to John Lewis Gervais, deputy paymaster-general in South Carolina, for the use of his department. See *JCC*, 13:140, 338, 433.

[4] This "important Secret" undoubtedly concerned the rumors of peace overtures that had been circulating in recent months.

[5] *N.C. State Records*, 13:756–57, 811, 814–16.

[6] This new appropriation was apparently approved May 13–15, dates for which the manuscript journal of the Commons House of Assembly is missing.

[7] Hill was reelected to Congress on October 26, 1779. *N.C. State Records*, 13:948.

[8] Not found.

[9] In another letter to Burke, written "about a fortnight" later, Hill made a pointed inquiry about the recent attempt in Congress to embarass Henry Laurens over the publication in New York of his captured letter to Gov. John Houstoun of Georgia, for which see Laurens' first speech to Congress, May 15, 1779, note 1. "Why did not Congress press Lawrense for his Copy of Letter that he might be a little disgraced; but why do I mention Disgrace? Is he not callous to any sense of Shame? I think his Character much more pitiable than any other in Congress; as for Adams and Lee, they have Designs & great Objects in view, but our Southern Champion is duped by their Flattery, an Artillery which he cannot oppose." Thomas Burke Papers, Nc-Ar.

John Jay to Conrad Alexandre Gérard

Sir, Philadelphia 24th May 1779

Congress having taken into consideration your Letter of the 19th of this month, I am directed to assure you that as soon as the matter shall in due course come before them they will attend very particularly to the cases of the Vessels stated in the note from Don Juan Miralles to have been sailing under the Flag of his Catholic Majesty & captured by Armed Vessels under the flag of the United States And that they will cause the Law of Nations to be most strictly observed—That if it shall be found after due trial, that the owners of the captured Vessels have suffered damage from the Misapprehension or violation of the rights of war & Neutrality, Congress will cause Reparation to be made in such manner as to do ample justice & vindicate the honor of the Spanish flag.[1]

I have the honor to be, Sir, With great Respect & Esteem, Your most Obedient and Most Humble Servant.

LB (DNA: PCC, item 14).

[1] Gérard's May 19 letter to Congress enclosed a memorial from Juan de Miralles, unofficial Spanish agent to the United States, seeking congressional interposition in Massachusetts admiralty cases involving the seizure of Spanish ships by privateers commissioned by that state. The issue had been laid before Congress originally on April 24, 1779, and referred to the Committee on Appeals, but no recommendation had yet been reported from the committee. In the meantime, memorials from the captains of the Spanish ships at issue—Joachim de Luca of the *Valenciano* and Joseph de Llano of the *Santander y los Santos Martires [Holy Martyrs]*—had been received by Congress on May 18. It was doubtless the arrival of these petitions, and the knowledge that the Massachusetts appeal proceedings concerning these cases were scheduled to resume early in June, that prompted Miralles to renew his appeal to Congress.

As Miralles' request involved the issue of Continental supremacy in appeals from state admiralty judgments, and Congress was simultaneously embroiled in a similar dispute with Pennsylvania over a controversial appeal in the case of the *Active*, the delegates were doubly reluctant to be drawn into conflict with Massachusetts. The matter was therefore referred to a second committee, consisting of Thomas Burke, James Duane, and James Lovell, rather than to the Committee on Appeals, and two days later Burke's committee presented the compromise recommendations that Congress adopted on May 22 and herewith transmitted to Gérard.

Rather than issuing a direct order on the Massachusetts proceedings, Congress merely reaffirmed its pronouncement of March 6 "relative to the controul of Congress by appeal in the last resort over all jurisdictions for deciding the legality of captures on the high seas" and requested "the several states . . . to take effectual measures for conforming" to that previous resolve. In addition, the committee submitted the draft of a letter to be sent to Gérard attempting to explain Congress' ultimate authority for safeguarding the law of nations while simultaneously avoiding "*arbitrary* Interpositions in [state] Judicial proceedings." The committee attempted a lengthy explanation of this conundrum, but Congress chose to adopt a considerably shortened version of the committee's draft, and in this letter that Jay actually sent to Gérard the final paragraph as adopted by Congress was deleted also. In recognition of the fact that Massachusetts might well reject Congress' right to hear an appeal in this case, Gérard was also assured that Congress would "cause Reparation to be made" in any event, a gesture designed both to save face and to court international goodwill. See *JCC*, 13:281–86, 14:507–10, 527–30, 607–8, 617, 624, 634–36; PCC, item 1, 22:17–18; item 41, 5:200–207; Committee on Appeals Decree, December 15, 1778, note; Committee of Congress to Joseph Reed, January 26, note 3; and Jay to Gérard, April 25, 1779, note 2.

For discussion of the "facts" at issue in Massachusetts' proceedings against the Spanish vessels, and the result of the effort to appeal the Massachusetts admiralty proceedings to congressional review, see Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775–1787*, Memoirs of the American Philosophical Society 122 (1977): 278–81, 305–7; and the Committee on Appeals Decrees of November 1 (*Cleaveland* v. *Luca*), and November 6 (*Tracy* v. *Llano*), 1779.

John Jay to Conrad Alexandre Gérard

Philadelphia 24 May 1779

Sir

As the enclosed Act of Congress of this Day, affords an unequivocal argument of the Attachment of Congress to the Subjects of their great & good Ally; I am persuaded your Pleasure on receiving it, will be equal to the Pleasure with which I transmit it.[1]

While the two Allies continue thus to make each others Cause their own, mutual Confidence as well as mutual Interest will give Strength to their Treaties, Vigor to their Efforts, and Disappointment to their Enemies.

I have the Honor to be Sir! with great Respect & Esteem, Your most obedient & most h'ble Servant, John Jay, Presidt.

RC (Archives du ministère des affaires étrangères: Correspondance politique, États-Unis, Supplement, vol. 1).

[1] For Congress' May 24 resolve declaring its intention to "retaliate for cruelties and violations of the laws of nations" committed by British troops against French subjects—during their recent invasion of Virginia—in the same manner as if such "barbarities" were committed against citizens of the United States, see *JCC*, 14:640-43. See also Jay to Patrick Henry, May 26, 1779, note.

For Gerard's reception of this resolve and transmittal of it to the comte de Vergennes, see Meng, *Gérard Despatches*, pp. 677–80.

Daniel of St. Thomas Jenifer to Charles Carroll, Sr.

Dear Sir, Phila. May 24th. 1779.

Your favor of the 10th I have received. I believe from the different movements of the Enemy in Virga & Georgia, that it never was their intention to acknowledge our independence before they had risked another Campaign; And that we have been under a delusion in expecting it. Appearances it is true, were much in our favor, and I wish Congress had determined with precision on their Ultimatum in February, but this business is still under discussion. What the result may be will be known it is probable in 8 or 10 days? I do not mean to censure Congress, it may turn out that Congress has deliberated with wisdom, and that time will evince its measures to have been wise and justifiable.

I think you are generous in offering to pay 1/ Sterling for every Paper Dollar emitted. I believe a Loan abroad for the buying Arms Cloathing &c. for our Soldiers might be obtained, but the risk of their getting safe to hand is very great.

Your Questions about Money, & the faith of the Public are striking, and your reasoning thereon unanswerable. Inclosed you have a list of the Votes as they were taken on the Question for the recall of Doct. Lee, by which you will observe a great Majority of Voters for the affirmative, tho it was trick & Tie with the States. This Vote in my opinion ought not to have transpired but some Member of Congress published it in the Newspapers.

Mr. C. has been much censured for his Attack upon the Senate, as well as for his Speculations.[1] I have been informed by Major Mercer that C. denied to him that he speculated in Flour, and S. Adams informed me before Mr Henry that he never said, or heard that Mr. Tilghman & Mr. Carroll, or either of them, had proposed to send to Genl Howe when in

Jersey to know what terms he had to offer.[2] Mr Deane I am told, does not incline to go into a dispute with Payne till his business with Congress is setled.

You may depend upon the information I gave you as to Emissions of Paper Bills by Congress being just. If I can procure in time from the Treasury board an exact account so as to enclose it to you by this Post I will do it, But Ten Millions in addn. have been ordered to be struck by Congress since the date of my Letter, and if the Money depreciates in proportion to what it has done in this place for three weeks past, God only knows what will be the consequence. It is the Enemys last hope and I wish it may not be a Sheet Anchor to them. Congress are endeavoring to counteract them, but I fear the measure about to be recommended to the different States for this purpose will not be adopted to the extent of the recommendation. I am very glad that your Daughter received benefit from the Trip over the Bay. I have sent 2 pair of her shoes by an Express that came to us from our Governor.

Pray could your Son[3] be prevailed upon to go to the Court of Spain. He would render America more Service at this time by going thither, than any man in it. He might take Mrs. Carroll & little Polly with him, it would probably be of service to them both—And I think a protection might be obtained. How glorious would it be for him to procure peace for America. I know that one great objection that he would make to going Ambassador would be, that he could not leave you, But I hope you will use your influence with him to undertake the Voyage should he be appointed to this important trust.

We have nothing New from Europe or the West Indias—We hourly expect important intelligence. With my best respects to Mrs. Darnall.

I am Dear Sir, Your Obedient Servt,

Daniel of St. Thos Jenifer

[P.S.] A Mob is just now collecting for the purpose of lowering prices of Goods & Provisions and I believe it will be formidable—they have sent eight persons to Prison already.[4] Some Speculators have applyed for Protection to the Exct. Council who have refused it to them, what this will End in I do not know but many people are greatly alarmed. If there is a head to this body the consequences may be fatal to some persons, but if there is not it will soon disperse as has general been the case of a body collected in a hurry.

The Secretary has disappointed me in Copying the Vote I promised to send you tho' its probable you may have seen it before this time. Maryland was Unanimous for the recall & so was Virga. & N.C.[5]

RC (MdHi: Carroll Papers).

[1] Samuel Chase had appeared before the Maryland Senate on March 17 to explain his charges that traitors were to be found in that body. For the origins of Chase's difficulties in Maryland at this time, which were the consequence of the detection of his speculations in flour the preceding summer, see these *Letters*, 10:626–28.

[2] The repercussions of Chase's diversionary charges against Matthew Tilghman and Charles Carroll, Barrister—as well as against Thomas Jennings, Samuel Wilson, and Jenifer himself—have been analyzed in Ronald Hoffman, *A Spirit of Dissension: Economics, Politics, and the Revolution in Maryland* (Baltimore: Johns Hopkins University Press, 1973), pp. 246–49; and James Haw et al., *Stormy Patriot: The Life of Samuel Chase* (Baltimore: Maryland Historical Society, 1980), pp. 109–11.

[3] That is, Charles Carroll of Carrollton.

[4] For a discussion of the convening of the Philadelphia town meeting of May 25 and the work of the price-setting committee that was established at that time, see Steven J. Rosswurm, "Arms, Culture, and Class: The Philadelphia Militia and 'Lower Orders' in the American Revolution, 1765–1783" (Ph.D. diss., Northern Illinois University, 1979), pp. 341–96.

[5] That is, the May 3 vote on the motion to recall Arthur Lee, *JCC*, 14:542–43.

Daniel of St. Thomas Jenifer to Thomas Johnson

Dear Sir Philadelphia May 24th. 1779.

I have the pleasure of Your Excellencys favor of the 20st[1]—Congress have not received any later intelligence than what you have communicated, which I am really surprized at, considering the distress that the inhabitants of the Lower part of Virga. must be in.

I am too sensible, not to feel the force of your observation respecting Censure—many are ready to find fault after events happen, that contribute very little towards preventing misfortunes. We have perhaps been overgenerous in assisting the Continent—the day may come when past Services will be forgotten—nay it is at hand—however, we have the pleasure of reflecting, that if we have erred, it has been from motives both honorable and laudable. It appears to me if an attack is made on Annapolis with a considerable Force, that it cannot be defended. Baltimore perhaps may, as there will be time for the back people to come to its aid.

Your express arrived I am told at this place on Saturday night. I did not know till a few hours ago that he waited for an Answer—the Delegates from Maryland sent off a Continental rider to General Washington yesterday Morning being Sunday with Your Excellency Letter, & pressed him to send General Guist to command the Maryland Militia with any other Officer, or assistance that he might think proper to afford an State—I expect that the rider will return time enough for us to write you by the Post what may be expected from that Quarter.[2]

Congress have but 602 stand of Arms at this place, & those not fit for immediate use. The board of War is directed to get them repaired & to deliver them to our Order—it will take some days before this can be done—but you may depend they shall be forwarded with all possible dispatch. The Americans are the most supine people in the Universe, they seldom see danger till it is past—if we are not roused from our Lethargy we shall be undone—Arms, Amunition &c. all go to the Northern States—15000 Continental Blankets are lately arrived in their Ports. I see very plainly, that the Southern States will be obliged to shift for themselves. We got our Instructions from the Genl Assembly Entered on the Journals last Friday. They are said to be well drawn by good Judges—and I hope will have weight, several causes seem to conspire to engage greater attention to be paid to our Declarations than we have hitherto experienced. Connecticut is now I am told by Sherman disposed to allow Congress to settle the dispute about the Backlands. That State has empowered its Delegates to confederate with the other States, but on the express Condition that Maryland shall have the power at anytime hereafter to accede to the confederation on equal terms with the other States. The 800,000 Dollars were sent off last Monday,[3] and I hope are before this came to hand safe.

The Great Dominion of Virga. surely can repel 2000 Men—more than that Number were not embarked at New York. Speculation here has arrived to such a height and prices in three weeks encreased 100 Per Ct. This has made those Vermin the Speculators become the object of resentment, and a Mob has assembled to regulate prices—what will be the issue God knows. They are now parading—if they have a head I believe this business will be of service, if they have not one, they will soon disperse as all tumultuous assemblys have done, that have not had a leader. Enclosed you have a Copy of one of their printed handbills.[4] Congress have this day resolved to retaliate on the Enemy as well for murders committed on French Subjects as those on the Subjects of the United States.[5]

RC (MdAA: Red Books). In Jenifer's hand, though not signed. Cover endorsed by him: "Express detained from Saturday 5 oClock till Monday ½ past five."

[1] It is unclear whether Johnson sent a personal letter of this date to Jenifer in addition to the official May 20 letter to the Maryland delegates signed by him concerning the British invasion of the Chesapeake, which is in *Md. Archives*, 21:404–5.

[2] See the Maryland delegates' letters to Washington of May 23 and to Thomas Johnson, June 1, 1779.

[3] For the $800,000 "sent off" to Maryland the previous Wednesday—not "last Monday," which was May 17—see Maryland Delegates to Johnson, May 19, 1779.

[4] No copy of this broadside has been found, but it has been reproduced from a contemporary transcription in Steven J. Rosswurm, "Arms, Culture, and Class: The Philadelphia Militia and 'Lower Orders' in the American Revolution, 1765–1783" (Ph.D. diss., Northern Illinois University, 1979), pp. 370–71.

[5] See John Jay's second letter to Conrad Alexandre Gérard, this date.

Henry Laurens' Notes of Debates

Monday 24th May 1779.

A Letter from Silas Deane was read in Congress[1]—the contents of this Letter are, *in my opinion*, extremely indecent & disrespectful & I am persuaded no Assembly of Representatives in America would admit a similar address to them to pass without severe censures upon the author—my opinion is supported by the declarations which were made by some who act as if they were particular friends of Mr. Deane—these Gentlemen expressed their apprehensions of bringing the Letter on the Journals. When a demand was made for yeas and nays on a question arising from debates relative to the Letter—they said it would bring the Letter on the Journal & surely Gentlemen would not wish to see such a Letter on the Journal—the President particularly said this & other Gentl delivered similar sentiments, & the demand for Ys & Ns was withdrawn.

Mr. Burke, said he had prepared a motion which would try Gentlemen & discover whether they were in earnest or not & read the followg[2]

which I immediately seconded & said I did so most heartily, that my sole aim was justice to the Public as well as to individuals, that whether Mr. Deane should be found to be innocent or criminal the conduct of Congress could not escape some blame for having so long detained Mr. Deane—that this was not a new Idea, I had signified my sentiments so long since as August last, which I had lately disclosed by shewing Copy of a Letter to the President, the President nodded assent.

Mr. Penn said he did not like the words *as soon as he conveniently can.* I proposed as an amendment, that Mr. Lee should be required to return to America forthwith & to attend Congress & also to bring with him accounts of Monies recd. & expended by him & to render a Narrative of his proceedings as a Commissioner at the Court of Madrid & Court of France. This amendment I committed to writing at the foot of Mr. Burke's motion & laid it before the President—after some debate whether the motion was in order, it was agreed to amend the Journal of Saturday relative to the order of the Day for tomorrow which the Secretary had entered falsely[3]—the Journal being so amended, it was agreed to postpone the further consideration of the motion till tomorrow.[4]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens and endorsed by him: "Mr. Burke's motion for detaining Mr. Deane & recalling A Lee, 24 May 1779."

[1] For the context of this day's debate on Silas Deane's long letter of May 22—which is in PCC, item 103, fols. 190–201, and *Deane Papers* (NYHS Colls.), 21:453–62—complaining of the injuries he had suffered because Congress had been unable to reach a decision on the unsubstantiated charges against him, see *JCC*, 14:637–38.

[2] At this point Laurens left a space in the MS, which was doubtless intended for the document printed in the following entry.

[3] This reference suggests an explanation for Congress' adoption this day of the following resolution: "That the journals of a preceding day be open to correction during the whole of the next day." This episode was merely one of a number of incidents that had long marked Laurens' bitter relationship with Secretary Thomson. *JCC*, 14:638.

[4] See *JCC*, 14:643–44, 711–14. Following this entry, Burnett printed two additional documents which he explained had been "found on detached sheets alongside of Laurens's Notes on Burke's motion of May 24." It is possible that they were so located when Burnett examined the collection in 1908, but on the Laurens Papers microfilm, ScHi, they are now to be found in a somewhat different location, with another document pertaining to Deane that Burnett dated September 9. See Burnett, *Letters*, 4:231, 415–16. Since the content of the first two documents seems to be more closely related to that of the latter than to Laurens' May 24 notes, they are printed in these *Letters* in a note to Committee of Congress Report, September 9, 1779.

The second, however, has now been identified as William Duer's amendment to John Witherspoon's motion made in Congress on September 18, 1778, when the delegates first considered the state of Silas Deane's accounts, for which see these *Letters*, 10:66–61n.1. The text of Duer's amendment, which was apparently withdrawn in favor of one submitted by Gouverneur Morris, reads as follows:

"That Mr. Deane be directed to lay before Congress on that Day as Accurate a State of the Receipts and Expenditures of public & prize Monies in Europe as the Vouchers and other Papers which he may have brought from France will enable him to make." Laurens Papers, no. 20, ScHi.

Henry Laurens' Notes of Debates

[May 24, 1779]

Mo[tio]n Burke 2d. Laurens

Resolved that Silas Deane Esqr. be ordered not to depart the United States without the special permission of Congress & that Arthur Lee Esqr. be directed to repair to * America as soon as he conveniently can in order the better to enable Congress to enquire into the truth of the several allegations & suggestions made by the said Arthur Lee in his correspondence with Congress against the said Silas Deane.

Mr. Laurens's proposed amendments

instead of * America as soon as he conveniently can read—to Congress without delay—

& after Deane **—add—& to bring with him a state of all his Accounts in character of Commissioner at the Court of Madrid & at the Court of Versailles—& also a narrative of his political transactions from the time of acting under his Commissions respectively to the time of his leaving Europe in obedience to this remand.[1]

MS (ScHi: Laurens Papers, no. 20). In the hand of Henry Laurens and endorsed by him: "Mr Burke's motion 23d or 21st May, for detaining S. Deane & recalling A Lee." Because the preceding entry clearly demonstrates that Burke's motion was offered during debate on May 24, it can be presumed that Laurens penned this endorsement considerably after the event. Furthermore, Congress did not meet on May 23, a Sunday; and the debate in question was in response to a letter from Deane that was read in Congress on the 24th.

[1] Burke offered this motion concerning Deane a second time on June 10 in form almost precisely as amended by Laurens. See *JCC*, 14:712.

William Whipple to John Langdon

Philadelphia 24th May 1779

Dear Sir,

Your favor of the 10th inst is just come to hand. I congratulate you on the arrival of your prize though your attention seems to be so much engaged, that you have not time to inform your friend of Fortune's smiles.

You say "every body's eyes are open to see what will be done with the currency"—that is a matter now under consideration. The result will be large requisitions from the States—There is now 140,000,000 dollars in circulation from this large Sum, it is supposed a sufficiency may be drawn in to support the necessary charges of the war—This being done emissions will immediately stop. You may soon expect a demand on N. H. for 1,500,000 dollars in addition to former requisitions, to collect this sum by taxes, or otherwise, will require great exertions. I hope (notwithstanding Avarice with her attendant friend, have exerted their whole power) there is still patriotism enough left to make one bold effort to save the country from impending ruin. I must refer you to the papers for news.

Adieu yours truly, Wm Whipple

[*P.S.*] Tell Mrs. W. I have not time to write her by this post.[1]

Tr (DLC: Peter Force Collection).

[1] Whipple did, however, write this day to Josiah Bartlett, but only the following printed extract from his letter has been found:

"I supposed the Laws you mention were in the news papers but that not being the case I shall endeavor to procure and send them forward per next post . . . I suppose the condemned money will be sent hither by a light waggon in that case I shall have a good opportunity of sending the journals . . . I hope you will be preparing to supply the Treasury either by Tax or otherwise for if a stop is not put to the Emissions there can be no possible means of preventing the consequent mischief of the present depreciation . . . I wish the instance you mention was the only improper step taken by C——[Congress] but we must touch tenderly on that string when we consider that body Emaculate." *The Collector* 58 (Aug.-Sept. 1945): 153, item N2660.

Committee for Indian Affairs Speech to the Delaware Indians

[May 25? 1779][1]

Speech of the Committee of Congress for Indian Affairs to the Wisemen representing the Delaware Nation delivered the day of May 1779 at the State House.

Brothers. We who now meet you are part of the great Council of the united States,[2] and appointed in their Behalf to watch over the Covenant Chain between Us and all the Indian Nations in our Alliance!

Brothers. As soon as the great Council were informd of your arrival near this City, they desird Us to meet you and to bid you welcome! We accordingly took you by the Hand and assurd you that we rejoiced to see you in good Health after so long a Journey. Understanding that you inclind to refresh yourself at Col Morgan's, and visit our Chief & the rest of our Warriors before you proceded to Business, we took our leave of you and wished you a good Journey.[3]

Brothers. You are now safely returnd to our great Council fire: We are glad to meet you in Health! And in the name of the great Council of the united States, whom we represent, we once more bid you welcome!

Brothers. We hear good things of you, and that you continue to hold fast the Covenant Chain without wavering, and are strong in your Love!

It rejoices our Hearts. The great Council can never be unmindful of such faithful Friends. They will consider your good & Happiness as their own.

Brothers. We shall now wait to hear you [op]en your Hearts and be of good Courage. You speak to your truest Friends, who never will deceive you.

May every dark Cloud be dispersed, the Sun Shine bright upon Us. May our Meeting at this Council fire promote the Happiness of the Delaware Nation and bind them and the united States in Friendship till the Waters shall Cease to run, & the Trees to put forth their Leaves!

MS (DNA: PCC, item 166). Written by James Duane, and endorsed by him: "No. 9 May 1779. Introductory Speech of Committee of Congress for Indian Affairs to the Deputation from the Delaw[are] Indians." Duane also added the following note to himself on this document: "Col. Morgan at Mrs. Bayntons on Arch Street Corner of Moravian Alley."

[1] Although the exact date that Duane delivered this speech to the Delaware Indian chiefs is not known, he undoubtedly gave it to welcome them immediately upon their return to Philadelphia after a trip they had made into New Jersey of nearly three weeks from approximately May 5 to 25. Because Duane is known to have delivered a more formal address to them on May 26, it seems probable that he read these remarks to the assembled chiefs as a welcoming speech the preceding day.

[2] Duane wrote in the margin at this point: "Mr Duane, Mr Lawrence, General Armstrong of the Committee."

[3] The Committee for Indian Affairs, consisting of James Duane (chairman), John Armstrong, Thomas Burke, Henry Laurens, and Roger Sherman, had been appointed on May 4 in response to a May 3 letter from the Board of War informing Congress that "fourteen Indians most of them Chiefs of the Delaware Nation, who have manifested a uniform & strong attachment to the United States" were about to enter Philadelphia. See *JCC*, 14:544–45; and PCC, item 147, 3:303.

This journey of the Delaware chiefs had been arranged by Col. George Morgan, Congress' agent for Indian affairs in the middle department. Although Morgan's motives are subject to several interpretations, it seems clear that the Indians sought supplies of clothing, guns, powder, and lead and the abrogation of their alliance with the United States as embodied in the treaty they had signed with congressional commissioners at Fort Pitt the preceding September. Rather than an active alliance that exposed them to British retaliation, they sought to regain their safer status as neutrals. In addition to meeting with Congress, the Delawares also sought a personal meeting with General Washington, and for this reason journeyed on to his headquarters at Middlebrook soon after their arrival in Philadelphia. After meeting with Washington on May 12–14, and with Morgan at his home "Prospect," near Princeton, and paying a visit to the college at Princeton where three Delaware youths were enrolled, the chiefs apparently returned on the 24th or 25th to Philadelphia, where they conferred periodically with the Committee for Indian Affairs until June 2. For the principal documents pertaining to the Delawares' meetings with officials the following few days, see Committee for Indian Affairs Speech to the Delaware Indians, May 26; Henry Laurens' Notes on a Conference with the Delaware Indians, May 26?; James Duane to Conrad Alexandre Gérard, May 29; and Duane to the Board of War, June 2, 1779. For a previous occasion on which Congress had addressed a speech to a Delaware delegation in Philadelphia, see *JCC*, 4:268–71.

Colonel Morgan's interests in the visit of the Delaware delegation to Philadelphia involve a number of considerations that are not altogether clear. As Indian agent, Morgan was pursuing the congressional policy of seeking to neutralize the western Indians if they could not be brought into an active alliance against the British. But Morgan was also involved in a policy conflict with Gen. Lachlan McIntosh, the commander at Fort Pitt, who had negotiated the now crumbling treaty of 1778 with the Delawares. Morgan may have sought an opportunity to demonstrate McIntosh's reputed failure to Congress. Moreover, not only did

Morgan have a long-standing interest in the western Indians as a member of the firm, Baynton, Wharton, and Morgan, but he was the agent and a partner in the Indiana Land Company that was still seeking congressional confirmation of a large land grant in the territory controlled by the Delaware Indians. See Gouverneur Morris to Washington, March 14, note; Virginia Delegates to Patrick Henry, May 17, 1779; Clinton A. Weslager, *The Delaware Indians: A History* (New Brunswick: Rutgers University Press, 1972), pp. 306–10; and Max Savelle, *George Morgan: Colony Builder* (New York: Columbia University Press, 1932), chaps. 4 and 6.

Connecticut Delegates to Jonathan Trumbull, Sr.

Sir Philadelphia May 25th 1779

We have the Honor here with to transmit to your Excellency the Journal of Congress from the 12th to the 24th Instant and also the report of Commissioners for Settling a Cartel for the exchange of prisoners. Last Friday Congress passed a resolution to call upon the United States for their respective Quotas of 45 Millions of dollars to be paid into the Treasury by the first day of January next to be applied for defraying the expences of the war. It is hoped that the States will begin the Collection as Soon as possible So as to furnish Supplies as fast as they Shall be Wanted that further Emission of Bills may be prevented. An Address to the States is to accompany the resolution which will be reported to morrow and then it will be immediately transmitted.

The Board of Treasury have again reported on Your Excellency's Letter requesting the advance of £45,000, that 150,000 dollars be advanced on Interest to be repaid by the first day of August.[1]

Monies have been advanced to Several other States on the Same terms—the report is accepted & We Suppose the money will be ready when called for. We have no remarkable News Since our last about 2000 of the Enemy are Landed in Virginia & are ravaging the Country, have burnt Portsmouth & Suffolk & We dont learn that much check is yet given to their progress.

We are very Respectfully, Your Excellency's Obedient, humble Servants.

Joseph Spencer

Roger Sherman

Sam Huntington

RC (Ct: Trumbull Papers). Written by Sherman and signed by Sherman, Huntington, and Spencer.

[1] See *JCC*, 14:629–30.

William Ellery to William Greene

Sir, Philadelphia May 25th 1779

Congress have resolved to recommend to the States an additional Tax of forty five million dollars, to be paid in by the first of January next. The resolve passed the 22d instant. An Address is preparing to accompany it, which, with the Resolve, will be transmitted to the respective Governors as soon as it shall have passed Congress. Is not this a bold Stroke? Now for peremptory Loans.

After various reports respecting the fleet which was seen off Chesapeak it is at length confirmed, that they have enterd the Bay, passed up James River, taken possession of Portsmouth, and Suffolk, burned part of each them, and committed every species of devastation that their savage imaginations could suggest. It is said that they intend to destroy Hampton & Williamsburg, and then proceed up the Bay and destroy Baltimore. The militia of Virginia was collecting, and I hope will check their career.

It is reported, and with circumstances which induce credibility, that Mr. Clark a militia Col of Virginia, who is posted at Illinois, has surprized Govr. Hamilton of Detroit with a party of thirty men, and taken him and them prisoner. The Governor it seems, with this party and a number of Indians, had taken a post of ours, called Vincent, about three of four hundred miles below Fort Pitt, and had in contemplation the retaking of Illinois when he was surprized. The Indians which he had had with him happend luckily to have left him a few days before he was captured.

Congress have passed several resolves declarative of their powers respecting maritime causes; and have directed the President to transmit them to the States.[1] These resolutions were occasioned by the difficulties which have occurred in the case of the Sloop Active, about which much hath been written, & published in the gazettes of this town; and by the disallowance of Appeals, in the Massachusetts-Bay, from the determination in maritime causes.

The Plan of finance will I hope be soon completed, and be acceptable to the several States. The delegates from the State of Rhode Island objected to the Sum recommended to be raised and to the time for collecting and paying it into the Treasury; because they thought the sum too large and the time too short, and for other prudential reasons. Our State I presume would wish to pay off their part of the continental debt as soon as possible, and give every aid in their power to check the career of depretiation; but seven hundred and fifty thousand dollars, in addition to the Sum already voted to be raised, is a large Sum to collect from a State under the circumstances ours is in in so short a period. Perhaps it might suit best to hire part. But of that the wisdom of our Assembly will form the best judgment. I think there was only one State besides ours against the Sum & Time. The great majority on this occasion, and the declarations made by members during the course of debate induce me to believe that great exertions will be used to collect their quotas. The more that is collected by taxation, the less will it be necessary to loan in order to put a stop to further emissions, which is the wish of all. A Stoppage of the press once effected, our liberties are established and an end is put to the war. Our enemy's whole dependence now rests upon our being crushed with the weight of Rheams of depretiated paper money. Once remove that ground of Hope and they will offer us, as proud and haughty as they may be, honorable terms of peace. I believe we shall give our white and tawny foes to the westward a home stroke this Summer, and perhaps a brilliant stroke may be made in another quarter. Heartily wishing for such happy events, the Safety of our little State, and the health of your Honour I am with great Respect, Yr. most obedt. Servt, Wm Ellery

P.S. The inclosed paper came to hand after I had written the foregoing.

RC (R-Ar: Letters to Governors).

[1] See *JCC*, 13:281-86, 14:508-10, 634-36; and John Jay to the States, this date.

John Fell's Diary

Tuesday May 25th. [1779]

Com Committee. Congress. Mr. Dickinson one of the Committee to bring in a draft of a Letter to adress the People, and Read the same and the day taken up on the same. NB. Did not attend the Marine Committee.

MS (DLC).

William Floyd to George Clinton

Philadelphia May 25.1779

Sr

I do my Self the pleasure to Inform you that our Vermont Affair is by Motion before Congress,[1] and next Satturday is Appointed to goe into Committee of the whole on that Business, and from what I can Judge of the Disposition of Individual Members, I think I have Reason to hope that we Shall Succeed to our wishes.

Inclosed I Send you another week of our Journals, and a paper of this Day to which I must beg leave to Refer you for the News. I am with the greatest Respect and Esteem, your Most Obedt. & humble Servt.

Wm. Floyd

RC (NN: Emmet Collection).

[1] See John Jay to Clinton, May 22, 1779, note.

Samuel Holten's Diary

[May 25, 1779]

25. Tuesday. I write a letter to the honl. Council of Massa. Bay, to Joseph Hall jr, and to Mrs. Holten (No. 57).[1] The people met as a body, to lower the prices of the necessaries of life.[2]

MS (MDaAr).

[1] Holten's letter to the Massachusetts Council is the following document; his letters to Joseph Hall and to his wife have not been found.

[2] For information on the Philadelphia price protests, see Daniel of St. Thomas Jenifer to Charles Carroll, and to Thomas Johnson, May 24, 1779.

Samuel Holten to the Massachusetts Council

Philadelphia May 25th. 1779.

Sir,

I embrace the first opportunity of informing the Honble. Assembly of two (particular) resolutions of congress, that have passed since I had the honor of addressing you last, which are as follows.

"Ordered, That upon application from the state of Massachusetts Bay a warrant issue on the treasurer in favour of Mr. John Lowell for eight hundred thousand dollars, the said state to be accountable, and to repay five hundred thousand dollars thereof to the commissioner of the continental loan office of the said state in the month of august next, with interest at six per cent. per annum, transmitting duplicate receipts to the board of treasury."[1]

"Resolved, That these united states be called upon, in addition to the sum required by a resolution of Congress of the 2d of January last, for their respective quotas of forty five million of dollars, to be paid into the continental treasury before the first day of January next."[2]

The last resolution, I expect will be sent you in a formal manner; I shall make no observations to shew the necessity of the said resolution, further than desiring the attention of the Honble. court to the state of our currency, which must really be alarming to every friend to his country, and I apprehend that it is become necessary, that the continental treasury should be supplied with money, as soon as possible, from the several states sufficient to pay the current expence, either by taxes or otherwise, so that the emissions may cease, or what may we expect from the increasing depretiation; Congress have assigned three days in a week to consider the state of our money & finances.

I inclose the weekly Journals, &c. and have the honor to be with the highest sentiment of respect, sir, your most obedient servant.

S. Holten

RC (M-Ar: Revolutionary War Letters). Addressed: "The Honble. The President of the council of Massa. Bay."

[1] This resolve, which is in *JCC*, 14:630, was sent officially to Pres. Jeremiah Powell under cover of the following brief letter of May 24 from John Jay. "You will receive herewith enclosed a Copy of an Act of Congress of the 22nd Inst., with the papers referred to in it." PCC, item 14, fol. 117.

[2] See *JCC*, 14:626.

John Jay to the States

Sir, (Circular) Philadelphia 25th May 1779.

You will receive, herewith enclosed, Copies of several Acts of Congress—Vizt. One of the 22nd Inst. directing a Copy of an Act of the 6th of March last, respecting the Controul of Congress by Appeal in the last Resort over all Jurisdictions for deciding the Legality of Captures on the high Seas, to be sent to the several States, which is accordingly enclosed[1]—Another of the 22nd May relative to the Exchange of Citizens in captivity with the Indians[2]—And One of the 22nd Inst. directing that Continental officers exchanged and not continued in Service be considered as supernumerary Officers.[3]

I have the honor to be, With great Respect, Your Excys. Most Obedt. Servant.

LB (DNA: PCC, item 14).

[1] For this unusual resolve, which involved no new principle of congressional jurisdiction in admiralty appeals but merely urged the states "to take effectual measures for conforming" to its March resolve enunciating Continental supremacy in such cases, see *JCC*, 13:281–85, 14:634–35; and Jay's first letter to Conrad Alexandre Gérard of May 24, 1779. For the antecedents of the original March 6 resolve, involving a case on appeal from Pennsylvania, which Congress herein simply reaffirmed out of reluctance to become embroiled in a similar controversy with Massachusetts, see Committee on Appeals Decree, December 15, 1778, note; and Committee of Congress to Joseph Reed, January 26, 1779, note 3.

[2] See Jay to the Indian Affairs Commissioners, May 26, 1779.

[3] This definition of the status of exchanged Continental officers had become necessary in order to permit the treasury to proceed with the settlement of the pay due them under the terms of a resolve of Congress of November 24, 1778. The recommendation for its adoption was made in a report of the Board of Treasury of May 18, which is in PCC, item 136, 3:319–20. See *JCC*, 12:1156–57, 14:630.

John Jay to George Washington

Sir, Philadelphia 25th May, 1779

Copies of three Acts of Congress are herewith enclosed—One of the 22nd Inst. respects the Exchange of Citizens captivated by the Indians—Another of the 22nd provides that the Officers, exchanged, & not continued in Service, be considered as supernumerary Officers—The Third is of the 24th Inst. and directs a copy of a Memorial from Colonel Lewis Debois to be transmitted to your Excellency.[1]

I have the Honor to be, With the greatest Respect & Esteem, Your Excellency's Most Obedient Servant, John Jay. Presid.

RC (DLC: Washington Papers). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] See Jay to Washington, April 28, 1779, note.

Rhode Island Delegates to William Greene

Philadelphia May 25th 1779

irs.

We received your excellency's letter of the 8th instant yesterday. We aited upon Mr. Hazard, & informed him of what you had written. He aid that there was a mistake in this matter; for that he had written to Mr. Hastings post-master in Boston and Mr. Carter post-master in Providence hat the post was to persue his old route through our State; and that he hould set out for the eastward this day and would rectify the error.[1]

The fleet which sailed from New-York the 5th instant have enterd Chesapeak Bay, passed up James-River, destroyed the Towns of Portsmouth, Suffolk and Hampton, and committed every kind of barbarity and outrage. Despairing of Conquest, it seems to be the determination of the enemy to destroy our commercial towns, and desolate the Country so far as their detached parties can penetrate.

It is reported, and with such circumstances of credibility as induce belief, that Col. Clarke militia Colonel of Virginia who sometime took and was posted at Illinois, had surprized Hamilton the Govr. of Detroit with a party of 30 men at Post St. Vincent on the Wabash, and taken him and them prisoners. The Story says that the Govr. was about collecting a large body of Indians, over whom he hath great Influence, in order to retake Illinois when he was surprized.[2]

Congress have passed a resolve recommending to the States to raise an additional tax of forty five million dollars to be paid into the treasury by the first of January next. This is a capital part in the plan of finance which is under consideration. When the whole is complete it will be made public.

Inclosed is the paper of this day which gives a particular account of the barbarities perpetrated by the enemy in Virginia. We have nothing at present further to add than that we are with great respect, Yr. Excellencys most Obedt. Servants,

William Ellery

John Collins

RC (R-Ar: Letters to Governors). Written by Ellery and signed by Ellery and Collins.

[1] See Rhode Island Delegates to Greene, April 20, 1779, note 4.

[2] See William Fleming to Thomas Jefferson, May 22, 1779, note 4.

Joseph Spencer to Oliver Ellsworth

Philadelphia 25th May 1779

Dear Sir

I have receivd. Your favour of the 17th Instant and thank you for the Inteligence You give, it is always agreable to hear of the Steadiness of the people and it would be Strange if it was not So to me at this time. We have Received no foreign Inteligence (Except what is in the publick prints) Since my Last. Congress have Come to a Resolution to Call on the united States for their Respective Quotas of forty five millions of Dollers to be paid in to the Continental Treasury by the first day of January next. A Committee is also appointed to draw up an address to send abroad to the people of these united States to Induce their Exertion to Supply the Continental Treasury for the necessary Expenditures without further Emissions.[1] By Late accounts from the South about 2000 of the Enemy Landed Some time Since at Portsmouth in Virginia and have Committed Considerable Ravages, and Continue therein without any Effectual resistance for what we have yet heard.

I Inclose for your amusement, a Remarkable advertisement which was posted up in many places in this City Yesterday—the Cryer is also about the Streets this morning publishing the determination of the good people of this place to put the purport of the advertisement into Execution this afternoon; what will be the Event will probably be Soon discovered—There has been the most Soaring public Rise of prices in almost Every Vendable article within these few days, that was Ever before known. I am Sr. with great respect &, Esteam your obedient Humbe Servt.

J. Spencer

RC (PHi: Gratz Collection).

[1] The address "To the Inhabitants of the United States of America" on the subject of finance, which was drafted by John Dickinson, was read and recommitted by Congress this day. On May 26 Congress approved it and ordered 500 copies printed. *JCC*, 14:626, 643, 649–58.

NEWARK PUBLIC LIBRARY

Committee for Indian Affairs Speech to the Delaware Indians

[May 26, 1779][1]

Brothers. The Great Council of the united States of America have receivd and considered the Representation made to them by you[2] the Deputies of the Delaware Nation.[3] Open your Ears and listen to their Answer.

The great Council are not unmindful of the several Treaties of Friendship which they enterd into with your Nation in the years 1775, 1776 & 1777. It was one of their first and great Objects to secure to you and to your Women & Children Peace and Safety: and they extended the same benevolent wishes to All the Nations of Indians on this great Continent—however oppressed by the English who returnd our Love with Fire and Sword. We woud not suffer our Indian Friends to be plunged for our sakes into the Miseries of War. We stood forth like Men and fought our own Battles; and advised them to sit quietly under the Shade of their Trees and reap the Fruits of our Toils & Dangers; the Freedom purchased by our Blood. But the English acted a part very different by Deceit and

Bribes they blinded the Eyes & understandings of many of our Indian Brethren: & turned their Hearts against Us. They did not stop here: but prevailed on many of them to Join in the War against us: to destroy our Women & Children and plunder our Substance & burn our Villages. For this perfidious Treatment we have never given the Slightest Provocation: our Treaties we have faithfully observed: & tho it was out of our Power to do All that we wished for our Indian Brethren we did them all the good which our Circumstances admitted. We sent over the great Waters for a large Supply of Cloathing & goods, on purpose to Open the Trade & relieve the necessities of our Indian Brethren as we promised them. They must not complain of us for the Disappointment: the English alone are to blame who having more Ships at Sea than the united States robbed us & you of the goods intended for your Support: Let them meet with your Reproaches who are the Cause of your sufferings. The time is at Hand, we trust, when it will be out of their Power to disturb our Trade or to injure our Children or our Friends. Our great & good Ally the King of France has Joined his Warriors by Sea and Land to the Warriors of these united States. Other mighty Nations on the other side of the great Water are our Friends, and will we expect soon take fast hold of the same Covenant Chain which bind us and France. Our great General and our other brave Warriors have already convinced all the World that these united States are not to be conquered; and we have the highest Confidence under the divine Favour that by their Courage and good Conduct as Warriors our enemies will soon be driven from this Country over the great Waters. We have also the best Reasons to expect that with the Aid of our powerful Ally a free Passage thro' the Seas to distant Countries will be opened & preserved, And these united States possessed of the Means of supplying the Wants and establishing a great Trade & relieving the necessities of Such of the Indians as shall continue stedfast in their Friendship.

You tell Us that it is your Opinion that it is for the Interest of the Delaware Nation that they should observe the Strictest Neutraility during the present War. You know best whether this is the general Opinion of your Nation: but we must inform you that it is reported that many of your young Men have Joined the Senecas & taken up the Hatchet aginst Us. Had the Indian Nations remained peaceable: had they not listend to the Voice of our Enemies, & broken their Treaties we are well persuaded they woud have consulted their truest Interest. But while too many of them take an active part, against Us, you cannot be surprized that our Warriors ask for & expect the Assistance of such as profess to be our Friends.

Brothers. We shall take Care of your Children whom you leave with us, & give them a religious & useful Education, & we receive this Mark of your Confidence as a strong Testimony of the Sincerity of your Friendship. Nor shall we neglect when the Country shall be restord to Quiet to encourage & promote your Civilization by inducing Ministers, School Masters, Tradesmen & Husbandmen to reside among you. It is a Measure wise & salutary and in which you will meet with the Applause & assistance of good men. When we know in what Measure we can be serviceable to your pious Instructor the Reverend Mr. Ziesberger we will afford him assistance & Encouragement: Well pleased that his Example & Labors have proved acceptable & beneficial to those of your Nation who have embraced Christianity.

Brothers. The Great Council have never interposed with respect to the Claims or Bounds of their Indian Friends. Their disputes ought to be settled by Wise Men of your & our Nations acquainted with your Customs And your Rights which we do not profess to be: Nor have we time while the War continues to Rage to examine into such Matters: Altho' we shall at a future day be glad to give you the best Advice in our power after receiving the Necessary Information.[4]

MS (DNA: PCC, item 166, fols. 427-35). Written by James Duane and endorsed by him: "Speech to the Delawares 1779."

[1] This date is taken from the following endorsement by Duane on another copy of this speech: "The Speech of the Congress of the united States to the Wisemen representing the Delaware Nations & deliverd by their Committee for Indian Affairs the 26t. May 1779." PCC, item 166, fols. 437-40.

[2] The Committee for Indian Affairs was replying to an address of the Delaware Indians that had originally been presented to General Washington on May 12 and was then presented to Congress upon their return to Philadelphia from New Jersey. The manuscript of it that survives is in the hand of George Morgan and bears the date May 10, 1779. Washington had replied noncommittally to the speech and had sent Congress a copy of it along with Morgan's letter of May 9. Congress had received these documents on May 17 enclosed in Washington's May 14 letter. See *JCC*, 14:597; PCC, item 166, fols. 411-19; Washington, *Writings* (Fitzpatrick), 15:53-56, 78-79; and Committee for Indian Affairs Speech, May 25, 1779.

[3] In the margin of another copy of this document (cited in note one), Duane wrote the names of the "Indians present" when the speech was delivered on May 26. PCC, item 166, fol. 437. Because Duane's handwriting is often extremely difficult to read and he appears to have rendered the names phonetically, it seem quixotic to attempt to reproduce them here. In Duane's list, for example, the well-known first chief of the Delawares, Gelelemend (or Kelelamand—Capt. John Killbuck) appears as "Cayleylamont"; and the second chief, Welepachtschiechen (Captain Johnny), appears as "Weylapacheicon." Of the other Delawares in attendance, two were apparently Peykeling and Tetepachksit, identified as councilors, and two were identified by their Christian names, John Lewis and John Thompson. George Morgan's name appears at the bottom of the list. See also Clinton A. Weslager, *The Delaware Indians: A History* (New Brunswick, N.J.: Rutgers University Press, 1972), pp. 295-311.

[4] The surviving copy of the Delawares' May 29 reply to this address, which is also in the hand of George Morgan, is in PCC, item 166, fols. 445-48. The Indians repeated their need for clothing, powder, and lead and hinted at the need to turn to the English at Detroit for supplies if they could not get them from the United States. They reaffirmed their neutrality and stated that the Delawares who had joined the British had been "obliged to forsake our Nation," comparing them to the American loyalists.

James Duane to Mary Duane

Philad. 26t May 1779.

I hope, my dearest Polly, our worthy and amiable Brother and Sister[1] are by this time happily arrived at the Manour. They sat out last

Sunday week and by them I informed you of my Health & of my anxious wishes for your's and the Childrens. The Servant and Mare were returned from an Apprehension that she was unable to perform the Journey. Him I dismissed as his Temper & want of manners disgusted me and his awkardness rendered him of little Service. I have engaged a Lad I like much better, he shaves and dresses very well, and is very obliging hitherto. I wish I may have it in my power to keep him.

I flatter myself you are reconciled for the Reasons I gave you to my staying here a little longer. I want to give my Aid in placing our publick Affairs upon a firm Basis. We have difficulties to encounter: but our prospects are upon the whole agreeable; and with the Blessings of our gracious Creator, and our own Exertions this Campaign, we may reasonable Hope for a Speedy and an honourable Peace. Too much paper money is our great Evil. It woud be for every Man's Interest to give one half of it to the Flames: but this will not be done voluntarily: and indeed nothing will answer The purpose but large Taxes. To these the people ought chearfully to submit: and indeed while money continues so plenty, and Wisdom and Justice are exercised by the Legislatures in the mode of assessment, they will not be too burthensome, altho' the nominal Tax of rich Individuals will make a high Sound.

You need not be uneasy about Summer Cloaths for me: I shall make a good Shift with two or three pair of the Stockings and Changes of linnen or dimathy under cloaths which I have ordered to be made up & bought. I shall fix my Affairs so as to be able to stay at home entirely, or only to serve on some great Occasion; and wish therefore to give entire Satisfaction to my Constituents at this time, when very much is to be done, and diligence and a thorough Knowledge of Business are essential to the publick Safety.

I think of nothing to add, but my dutiful Regards to our honourd Parents: affectionate Compliments to the respective Branches of the Family; and my Blessings to our dear Children. Adieu my dearest Polly and believe me to be with Constant Prayers for your Health and Happiness. Your ever faithful & most affect Husband, Jas. Duane

RC (NHi: Duane Papers).

[1] That is, Robert C. Livingston and Alice Swift Livingston.

John Fell's Diary

Wednesday 26th May. 1779

Commercial Committee. Congress. A Letter from T Payne, abusing Mr. Deane was Read and took up a deal of time in debate. The Adress to the People was read paragraph Per paragraph and unanimously agreed to and 500 Copies ordered to be Printed. One of the Delegates of the State of Pennsylvania enform'd the House that the President with some other

Gentlemen, were at the door, waiting with a Petition which they would be glad to Represent, in such way as would be most agreeable, after some short time it was agreed, that the Secretary should desire the President and the Gentlemen with him to come in and Present the Petition, which he did and after a short Introductory Speech on the Occasion the Gentlemen withdrew, and the Petition was Read.[1]

MS (DLC).

[1] In the course of addressing Congress on the subject of Pennsylvania's petition, which expressed the state's concerns over rampant inflation, Joseph Reed had evidently hinted that some delegates harbored doubts about "the propriety of presenting the said petition." As a consequence, the delegates "unanimously" resolved: "That Congress will at all times, cheerfully receive the sentiments of their constituents upon every important matter which may become a subject of their deliberations." See *JCC*, 14:648–49; and PCC, item 42, 6:206–9.

Samuel Holten's Diary

[May 26, 1779]

26. Wednesday. Genl. Election Boston.

Congress recd. a petition from President Read, & a numbr. of others respect[in]g financing.

MS (MDaAr).

John Jay to Ebenezer Hancock

Sir, Philadelphia 26th May 1779

You will receive herewith enclosed a Copy of an Act of Congress of the 22nd Instant, ordering a Sum of Money to be transmitted to the Deputy Pay Master General to the Rhode-Island Department to be charged to Your Account.[1]

I am Sir, Your most Obedient &, Humble Servant,

John Jay, Presidt.

RC (ViU: Johnston Autograph Collection). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] For Congress' May 22 order transmitting $600,000 to Deputy Paymaster Benjamin Stelle for the expenses of Continental troops in Rhode Island, see *JCC*, 14:629.

John Jay to Patrick Henry

Sir, Philadelphia 26 May 1779

I have the honor of transmitting to your Excellency a Copy of an Act of Congress of the 24th Inst relative to the cruelties said to have been com-

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mitted by the Enemy in Virginia.[1] And am, with great Respect, Your Excellency's Most Obedient Servant, J.J.

LB (DNA: PCC, item 14).

[1] For Congress' resolves concerning "unnecessary, wanton, and outrageous barbarities" inflicted by the British on both Virginians and French citizens in the state during the recent, brief invasion, see Jay's second letter to Conrad Alexandre Gérard of May 24, 1779. By one of these resolves, Henry was requested "to cause diligent enquiry to be made into the truth of the above representations, and to transmit to Congress the evidence." *JCC*, 14:640. For Virginia's response to this request, which fell to Henry's successor Thomas Jefferson, who was elected governor on June 1, 1779, see Jefferson, *Papers* (Boyd), 3:113-14. The depositions concerning this subject transmitted by Jefferson, which were received by Congress on November 10, 1779, are in PCC, item 71, 1:283-85.

John Jay to the Indian Affairs Commissioners, Northern Department

Philadelphia 26th May—1779.

Gentlemen,

You will receive herewith enclosed a Copy of an Act of Congress of the 22nd Inst. for exchanging Citizens of these States in Captivity with the Indians.[1]

I have the honor to be, Gentlemen, with great Respect, your most Obedt. Servant

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LB (DNA: PCC, item 14).

[1] *JCC*, 14:636. For the circumstances that led to the adoption of this resolve, see James Duane's letters of April 27 to George Clinton and to George Washington; and Duane to Washington, May 17, 1779.

Daniel of St. Thomas Jenifer to Unknown

Philadelphia May 26th. 1779.

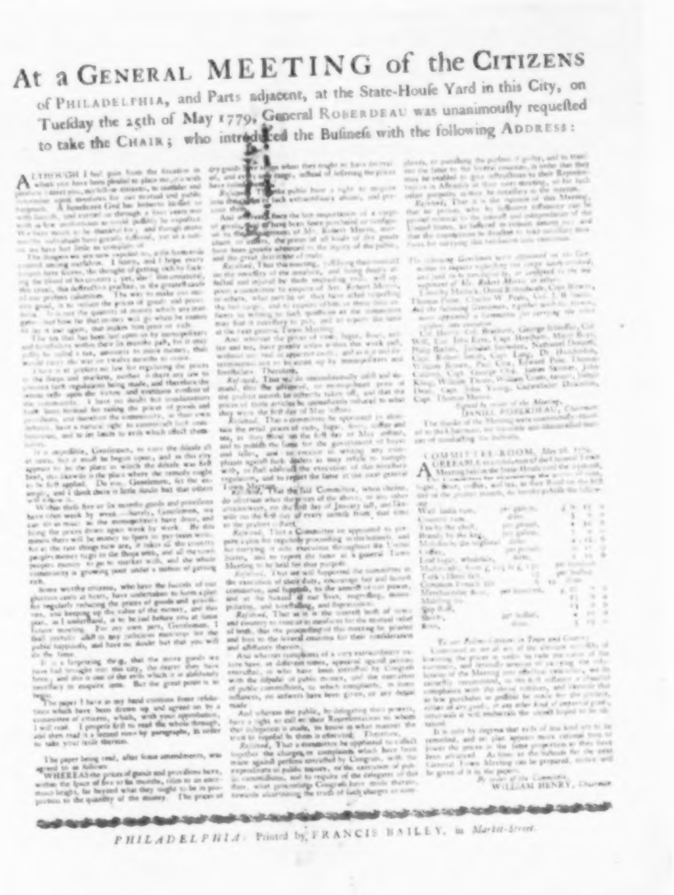
Dear Sir,

Your favor of the 17th I have received. From the late Conduct of the Enemy in Georgia & Virginia I am of Opinion that it never was their intention to make peace before they had risked this Campaign, whatever may have been the appearances to the contrary. Congress never had it in their power absolutely to command a peace consistent with Treaties but I think they had it in their power to have put our affairs abroad in such a situation as probably would have insured it, or at least made prospects more certain than they are at present. War as you justly observe is very uncertain and we must not aim at too much, lest we risk the losing of all. I would not be understood, that I blame Congress, it may have Acted wisely and the event may justify their proceedings. I believe there is not a member in it that would even Sully his reputation by thought, much less by Actions of making any term inconsistent with Treaties. The great risk we run, will be the extension of our ideas & plans beyond them.

I suppose before this, you have heard from your Brother Jack, & of the cruelties exercised by the Enemy on some Frenchmen that were part of his Crew. I do not think the Enemy will visit Baltimore unless they are reinforced, for they embarked but 2000 men at New York, and surely the DOMINION of Virga will lessen their Number. I wish with all my heart we had immitatd that State more than we did, I mean without Cloathing or Arming our Troops that we sent to the Northd. For now we are in great want of Arms, and cannot get them—We have an Order it is true for all that Congress have in this City, which are only 600, & they want repairing being refuse Arms—Every Thing goes to the Eastward—15000 Continental Blankets are lately arrived at Boston.

I believe the Quarter Masters & Commissaries have had their share in the Depreciation of our Currencies. An enquiry into their Conduct is now on foot,[1] and if I can touch them up over the left Shoulder they may depend that I will do it—perhaps their Tens of thousands, and hundreds of thousands that they have made, may be brought down to limits before we have done with them. But the Speculators are the Vermin that have been the great cause & source of our misfortunes in this respect. I believe so much has been said of Speculators that most of them that were in Congress have withdrawn from that body. Mr. T. Adams from Virga. left it since I came to Phila and I am told does not intend to return again if there are more of these reptils among us God send us a thorough deliverance. Chase denies that he speculated in Flour, and Major Mercer has allowed me to make use of his name as the Author. S Adams declared to me in the presence of Mr Henry that he never said, or heard that Mr. Tilghman or Mr Carroll proposed sending to Genl Howe to know what terms he had to offer and that Chase must have been mad.[2] The Secret of Congress was not of the Magnitude that some gave out, nor yet was it so diminute as Mr Lee would insinuate. Take the mean between the Two Accounts, and you will be near the truth. I think Mr Carmichael received your Letter—I will speak to him. I did not attend to your request till this moment. And the Post perhaps may set out before I close my Letter if I were to keep it open till I see him at Congress today.

We have had a numerous Assembly of the Mobility to regulate Prices, to down with Speculators. They put 6 or 8 of these Gentn to Prison. From the Conduct of this numerous assembly and from the orderly manner in which they conducted themselves, they deserve rather the name of Nobility. I am much against risings of the people, because whenever this happens it infringes upon Civil Government, and it is too apt to end in riot & confusion; But this insurrection must have been set a foot, or at least countenanced by the Civil Authority, who refused protection to Monopolizers that applyed for it—a Committee was appointed to say what prices all Articles shall be sold at, and are to reduce them Monthly till they bring them down to what they were in January, they are now reduced to what they were in April. If you see Mr Brown Tell him, that I shall write to him by next Post. I shall depend upon him as a sure Card for informa-



At a GENERAL MEETING of the CITIZENS

of PHILADELPHIA, and Parts adjacent, at the State-Houſe Yard in this City, on Tueſday the 25th of May 1779, General ROBERDEAU was unanimouſly requeſted to take the CHAIR; who introduced the Buſineſs with the following ADDRESS:

PHILADELPHIA: Printed by FRANCIS BAILEY, in Market-Street.

Philadelphia Committee Broadside, May 25–26, 1779 tion about the inequitous practices of the Depy. D. Deputies of the Q.M. & Coms. departments—I know it will afford the little man pleasure to hunt them up. I have not any thing new to communicate to you, only that we must soon have an Assembly to raise our Quota of 45 Mills. of Dollars. Adieu & believe me to be very truly, Dear Sir Your Obedt. Servt.

Daniel of St Thos Jenifer

RC (MdHi: Gilmor Collection).

[1] For this "enquiry," which had been recommended by the Board of Treasury in April but was not ordered by Congress until May 28, see *JCC*, 14:519-20, 661-62; and John Dickinson's Committee Notes, June 7? 1779.

[2] For the flour scandal involving Samuel Chase, see these *Letters*, 10:626-28.

Henry Laurens' Notes of a Conference with the Delaware Chiefs

[May 26? 1779][1]

Du[ane]—exceed[in]g glad to hear them speak what they feel from their hearts.
shall now tell them the reason why we hear them from their hearts instead of writing.
that General M[cIntosh][2] had put hatch[et] in their hands & made sign writings in hands which they did not underst[an]d. which they have found to be false.
great Council wanted to know if true.
would furnish any servants impo—— on them.
therefore brot G[eorge] M[organ] & C[olonel] Gibson[3] before [us?]
now tell if the hatchet was forced or took it freely own accord.
answer from bottom hearts & if any wrong done them.

K[ill]B[uck]. 3 Bro[thers] present who were at that Treaty.
what did not see himself could not be certain as if face to face.
Job Jilloway from Morgan informed he would speak to them next day going exp—— tomahawk will be put into your hands—take it or a lost people.
his heart seemed to be afr[ai]d—formerly no such thing.
frighted at sight of mak[in]g the Tom[ahaw]k. F[ort] P[itt].
W[hite] Eyes said Bad Man who gave him the belt & Tomhawk from English & threw in the dirt.
told McI[ntosh] might do with it as he pleased.
McIntosh told him return Tom[ahaw]k by striking it into his head.
drew T[oma]hawk out of his bosom & gave W[hite] E[yes]. W[hite] E[yes] & K[ill]B[uck]—took the T[oma]hawk & danced War dance & others did the same—said for good of Wom[en] & Child[ren] if Cong[ress] gave them the Tom[ahaw]k—could consult about it.

GW[4]—went to see him to know if he sent the Tom[ahaw]k.

the Tom[ahaw]k daunted them.

Duane—what writings imposed upon them—what frauds have been committed upon them in such writings—

approved of all the Treaty except Tom[ahaw]k

daunted or surprised him—did not approve of Tom[ahaw]k.

Colo. M[organ]—in this Treaty made to complain of me.

ask if they mean to complain to me.

Wilepachey—noting to purpose.

Duane by Mor[gan]—did you take T[omahaw]k with intention to strike the English?

K[ill]B[uck] did not mean to strike any person but to come down here.

Du[ane]—what did they tell Commissioners?

K[ill]B[uck]. told Commissioners would go as far as they would go.

We gave other Night a Sp[eech].

Now ready to receive their answer—do not rightly understand what you say—1st repeated.

K[ill]B[uck]. Broth[er]s. 3 d[ay]s 3 Nights since gave answer to President of Congress.

Du[ane]—ask with us to receive ans[wer]s to us—practice all Treat[ie]s I have been at.

K[ill]B[uck]—True always the Rule & always Belts of Wamp[um].

K[ill]B[uck]—did not bring my belts along with me, at my lodging.

Du[ane]. if they have not had time to think till tomorrow to come from their own lips & their own heart.

K[ill]B[uck]. will prepare for any time tomorrow.

Du[ane]. tell em we want to hear from bottom of hearts.

without Ceremony of Belts &c from bot[tom] of hearts.

Welapachey—Bro[thers] when I was at my own town received a Speech from Brothers to come to this Council Fire to settle all matters for that reason he came here now received the speech with great Joy & heartily.

Du[ane]. do they remember what said in that speech do they remember any part of it.

K[ill]B[uck]—does not remember in particular—does not remember so clearly in writing as if giving by a Belt.

Duane—recollect [. . .] he wo[ul]d recollect & deliver from bottom of their hearts.

K[ill]B[uck]. speech last Winter at F[ort] Pitt when Colo. Morg[an] ar[rive]d at Council Fire.

K[ill]B[uck]. when he came told him not to think hard had stayed so long had been working g[oo]d works down with Congress.

was very sorry for the loss of White Eyes[5] (good fr[ien]d).

he supp[ose]d had found out another good Man in his room now Bro[ther]s if we have not chosen such a Man hope you will come to Council fire at Pittsb[urgh] & find out such a Man shall do good as he used to do.

Invited to send some of your Wise Men to Council fire

if you cant come your selves send some other Wise M[en].

spoke to Wyandots am sorry they cant see the good works we are work[in]g here

repeated ———.

would meet Wy[andots] at F[ort] P[itt], F[ort] L[aurens] or any place appointed. after met together come together & speak to Congress. now Brothers now tell me from your hearts if I have done anything wrong dont fear tell tell me freely.

repeated encouraging them to come down & try for Trade.

another little thing will speak & afterwards speak.

time you sent people to F[ort] P[itt] to Council.

that time that Brothers spoke there to think what could be good to assist each party.

Now Brothers—quite different the French & 13 States have made themselves one people.

has got all the Speeches except trifles.

their Brothers spoke at F[ort] P[itt] to consider things

that may become as one Brother.

Now I tell you there is none of all the people roundabout I love as well as I love you.

as long as trouble continues should not make Peace unless come thro hands of Virginia.

inform me if they (Wy[andot]s) are your fr[ien]ds take by the hand as friends.

tell if they are fr[ien]ds take hands as fr[ien]ds.

recited an article of treaty in case of injury the reciprocal part on the side of America—

going to Detroit be glad you would go with me there

told me if we sho[ul]d fall short of provisions or horses should have assistance.

told us to appoint a fit person to take care of us.

their great Man pitched on Colo. Gibson

Colo. Morg[an] being absent care Children & W[omen].

waited many days for Colo. Morgan 20 days at Treaty did not come.

the most can remember at present—like his Brothers desire him to speak from heart this what we like.

when he says a thing speaks earnestly & holy with the assistance of his maker to perform what he promises.

After the Council Capt Pipe & self spoke of what had passed there.

after went away from them W[hite] Eyes, Job Chilloway.

General McI[ntosh] had his people M & W to Fort Lau[rens].
after talked a little while left ten of his Men
fort alway some of his Men
Colo. Gibson has papers now.
Men used to go day & night expresses.
I used to fret myself very little lest should fall thro' their
laps—we are envied & hated most for assisting you. hate us
bad as they do you on that account.

MS (PHi: Laurens Papers). In the hand of Henry Laurens.

[1] These undated notes were made by Laurens, as a member of the Committee for Indian Affairs, during the committee's meetings with the Delaware chiefs after their return to Philadelphia from New Jersey. Although the exact date that they were taken is not known, they clearly pertain to the negotiations that followed the delivery of the committee's formal address to the Delawares on May 26, and preceded the Indians' formal reply on May 29. The abrupt nature of the beginning and end of these cryptic notes suggests that they are apparently only a surviving fragment of a more complete set kept by Laurens.

[2] Gen. Lachlan McIntosh had been the principal negotiator of the Treaty of Fort Pitt of September 1778, which formally allied the Delawares with the United States and called for joint military operations aimed at the capture of Detroit. The fruits of that alliance had been a disappointment to the Delawares, however, for after participating in an abortive expedition against Detroit they found that they had gained no advantages and were now exposed to British counterattack. The expedition's failure was largely responsible for McIntosh's request for a transfer to the southern department and Congress' reassignment of him. See *JCC*, 14:606; and Max Savelle, *George Morgan: Colony Builder* (New York: Columbia University Press, 1932), pp. 157–60.

[3] John Gibson (1740–1822), who had been designated as Indian agent for the Delawares in the treaty of 1778. A trader at Fort Pitt since 1760, Gibson had served as a colonel in the Continental Army from 1776 and had commanded the Ninth Virginia Regiment at Fort Pitt and Fort Laurens in 1778. He was subsequently second in command at Fort Pitt under Col. Daniel Brodhead. See Savelle, *George Morgan*, pp. 158–59; and Edward G. Williams, *Fort Pitt and the Revolution on the Western Frontier* (Pittsburg: Historical Society of Western Pennsylvania, 1978), pp. 213–14.

[4] That is, George Washington. For further information on the Delawares' meeting with Washington, see Committee for Indian Affairs Speech to the Delaware Indians, May 25, note 2; and May 26, note 2.

[5] White Eyes, a Delaware chief who had been the Indian force behind the 1778 treaty with the United States, had died under mysterious circumstances while leading American troops through Delaware territory west of Fort Pitt in November 1778. Although the Indians were told that White Eyes had died of smallpox, Morgan stated later that the chief had been "treacherously put to death." "I have carefully concealed," Morgan explained in a letter of May 12, 1784, "& shall continue to conceal from young White Eyes the Manner of his Father's Death, which I have never Mentioned to any one but Mr. Thomson, & two or three Members of Congress." George Morgan Papers, DLC; and Clinton A. Weslager, *The Delaware Indians: A History* (New Brunswick: Rutgers University Press, 1972), p. 306.

Henry Laurens to William Carmichael

[ante May 26, 1779][1]

Sir.

I have such confidence in the honor & integrity of Mathew Locke Esquire as leaves no ground for doubting the justice of his claim under the within Account. I had by the Marquis Delafayette's request engaged to Repay all Monsieur Capitaine's expences in North Carolina which had been paid by Mr Locke & I can urge no exception to a compliance, excepting Mr. Lockes long delay of his demand, but you & I Sir, know the Marquis will take no such advantage—therefore I take the liberty of recommending payment of the within Account together with Interest to Mr Locke's order. The Marquis will thank us.

I am Sir, Your obedient humble servant, Henry Laurens.

RC (NN: Miscellaneous—Laurens).

[1] Laurens enclosed with this brief letter an account of expenses incurred in 1777 by Matthew Locke on behalf of Michel Capitaine du Chesnoy during an illness incurred by the latter while traveling through North Carolina. The enclosure, which is dated February 24, 1778, was endorsed over to William Sharpe by Locke, and Sharpe subsequently added the following endorsement to it, on May 26, 1779, when Carmichael paid the claim to him in keeping with Laurens' request. "Received from Wm. Carmichael the full amount of the Above Acct on Acct. of the Marquis De la Fayette who paid the same in consequence of the Certificate hereunto annexed of the Honble. Henry Laurens. Wm. Sharpe." Miscellaneous—Laurens, NN. For the origin of Laurens' involvement in this matter, see these *Letters*, 8:648, 9:358.

Marine Committee to the Eastern Navy Board

Gentlemen, May 26th 1779

We have received your letters of the 12th & 13th instant and perfectly approve of your Conduct in Suspending Capt. Hopkins[1]—in our last letter of the 20th instant we deem'd that as a necessary Step to be taken. We desire you will purchase the Prize Brigantine taken by Captain Hopkins and mentioned in yours of the 13th provided she is a Suitable vessel for a Cruizer. We shall pay due attention to what you Say respecting the Resolves of Congress of the 6th May 1778.[2]

Enclosed you will find Colo. Wheelocks receipt for 500,000 Dollrs which we have paid him here, to be delivered to your Board at Boston for the use of your Department. This Gentleman lives in New Hampshire and has undertaken the charge and delivery of this Money to you—three other Gentlemen travel in company with him and will form a proper eschort for it, and we have agreed to pay their reasonable travelling expences to Boston which you will please to comply with.

We are Gentlemen, Your Hble Servants[3]

LB (DNA: PCC Miscellaneous Papers, Marine Committee Letter Book).

[1] The board's letters of May 12 and 13 to the Marine Committee are in the Eastern Navy Board Letterbook, NN.

[2] The Eastern Navy Board was concerned that its power to hold courts of inquiry under authority of these resolves might have expired on May 6, 1779. See *JCC*, 11:470–71.

[3] The Marine Committee's secretary, John Brown, also wrote to Capt. Seth Harding this day directing him to "send up the Chaplin of your Ship to this place under a Guard so as to be brought before the Committee on Friday evening next at six OClock." Paullin, *Marine Committee Letters*, p. 78.

Marine Committee to George Washington

Marine Committee, Philadelphia May 26th 1779

Sir

Your Excellencys Letter of the 25th instant to this Committee together with an extract from another of the 17th instant to the President of Congress has been duely considered by the Committee.[1] Unfortunately the situation of our Frigates is such, as to afford no reason to expect that they can possibly be collected in Season to execute the plan proposed. The Providence of 32 Guns & the Ranger of 18 are already ordered on A Cruize and it is supposed must be at Sea before different Orders can reach them at Boston. The Warren of 36 Guns & the Queen of France of 20 Guns have lately returned from A Cruize and are unmanned. Although the Naval force of the enemy at New York is at present trifling, yet as their Situation in this respect is very fluctuating, they may probably be so reinforced as to render it too hazardous to risk only the two Frigates in this River viz the Confederacy of 36 Guns & the Deane of 28 Guns, the later of which wants a great number of Hands to make up her Complement. Add to this that though the force of the enemy on the water would be inferior to ours, yet might they not retire under cover of the Batteries on Shore, and receive effectual protection from any Annoyance that could be attempted from the Guns of our Small Ships?

I am desired by the Committee to Assure you Sir, that they shall always be ready with the greatest Alacrity to employ our little fleet in the execution of such Plans as may be suggested to them by your Excellency whenever circumstances shall be such as to render it practicable.

I am Your Excellency's Most obedt. and very hble servant,

Saml Adams

RC (DLC: Washington Papers). In the hand of John Brown and signed by Samuel Adams.

[1] Washington had recommended a naval attack on the remnant of the British fleet that remained at New York. See Washington, *Writings* (Fitzpatrick), 15:91, 144–45.

Committee of Congress to John Chaloner and James White

Philaa. 27th May 1779

Gentlemen

The Committee have carefully exd. your Calculation but cannot agree with you as to the Magnitude of the Amount. They wish to have Materials on which to form if possible a solid Judgment such as the Issues to the Army and Posts. Also the Issues from the Purchasing to the issuing Department.

In the Interim it may be prudent to suppose that the Error may as well lie on the one Side as on the other and therefore to allow Time for a Correction of it. With this View it may be proper to purchase South of the Delaware over and above the Consumption at the several Posts within that Tract of Country 10,000 Blls. by the 1st Day of August. To accomplish this let that Quantity be divided among ten, fifteen or twenty Purchasers as shall be most convenient assigning to each one his Quantity, of this let 1/4 be ready at some particular spot in his District by the 20th of June 1/4 more by the 10th of July and the Remainder by the 1st of August. Perhaps it might be of Use to give so much per Barril for the Purchase restricting it to contain 224 lbs at least instead of a Commission on the Money and to limit the Price giving a further Gratuity of so much in the Pound for whatever it is obtained lower, in which Case the Salt should be valued at a fixed Sum and rather too high than too low as thereby the Flour would eventually come cheaper to the Treasury. On these Regulations we should be glad of your Sentiments.

We must insist upon a Return of the several Officers in the Department. Their weekly Purchases and the Gratuities as well of Rations as of Money or otherwise allowed them by the Public.

You will forthwith order 2,000 out of the 4,000 Barrils directed to be laid in Store on the Waters of Chesapeak to be delivered to Mr. Holkers Agent at Baltimore taking Receipts as before directed. You will also be careful with all possible Speed to deliver to the Committee Accounts of whatever may be delivered by their Order—And you will transmit a Copy of this Letter to the Commissary General[1] who is to consider it of equal Validity as if directed to him in the first Instance.

I am Gentlemen, your most obedient, & humble Servant, By Order of the Committee, Gouv Morris

RC (PHi: Chaloner & White Papers). Written and signed by Gouverneur Morris. Addressed: "Messr. Chaloner & White at their Office in Fourth Street."

[1] That is, Jeremiah Wadsworth, in whose papers at CtHi a copy of this letter is located.

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John Fell's Diary

Thursday 27th May. [1779]

Commercial Committee. Congress. Letter from the Sieur Gerrard was Read.[1] The order of the day, for taking up the Ultimatom on the fishery, after many speaches and long debates, it was agreed to withdraw and Repeal all the former, Resolutions, amendments and Subsitutes, and begin a new.

MS (DLC).

[1] This day Congress received two communications from the French minister: a letter of May 25 thanking Congress for its resolution of the 24th concerning British "cruelties" against French subjects in Virginia and a memorial of the 27th reminding the delegates of the importance of the Spanish mediation effort and pointing out that continued failure to reach a decision on negotiation demands would "incur the risk of cooling the good will" of the king of Spain. See *JCC*, 14:659; PCC, item 94, fols. 245-57; and Wharton, *Diplomatic Correspondence*, 3:185-86, 194-95.

Henry Laurens' Notes of Debates

[May 27, 1779]

Sh——[1] it will be for the Interest of England that we enjoy a common right in the Fishery.

Ger—— it is more injurious to remain in our present circumstances than it would be to determine in either way.

Ch J. McK. exonerated himself handsomely & told us our Ultimatum was subject of common conversation in every County Town. The secret disclosed by Members of Congress at Reading in Berks.

Ch J D—— very flimsily told us the Ministers Memoire effectually knocked down all the arguments in opposition to restricted fishery.

All the withdraws after 3 Hours debate 11 oClock to 2.

Then Resolved "that in no case the common right of Fishery be given up."[2]

MS (ScHi: Laurens Papers, no. 22). In the hand of Henry Laurens and endorsed by him: "Minutes of debate on Ultm. 27 May '79."

[1] The speakers whose views on the United States' claim to the fisheries are recorded in these notes were Roger Sherman, Elbridge Gerry, and the chief justices of Pennsylvania and South Carolina, Thomas McKean and William Henry Drayton.

[2] The resolve that Congress adopted this day reads: "That in no case, by any treaty of peace, the common right of fishery be given up." *JCC*, 14:661. See also Laurens' Notes of Debates and Laurens' Proposed Resolution, May 12–13? 1779.

Richard Henry Lee to Henry Laurens

My dear sir, Chester 8 o'clock. Thursday Evg. [May 27, 1779]

On my way here I met with Mr. Serjeant,[1] of whom I enquired touching the proof he had mentioned of Deanes having communicated the intended Treaty to Wharton[2] in London some days before its conclusion. The Witness is, it seems, Surgeon to Proctors Regiment, now on its way to Pittsburg. This Man was the Bearer of the letters to Wharton, and his evidence is I think very conclusive. I assure you Sir I am in this case not influenced in the least by motives of personal resentment, the thorough conviction I have of the public good that will result from fixing on Mr. Deane the guilt that I am satisfied he has practised, influences me solely. It is impossible that justice can be done, either to the community, or to Individuals, unless this man be properly understood. And certainly nothing more is necessary to accomplish this than to proceed with serious determination to the enquiry and collect the evidence written and oral that this country abundantly furnishes. The establishment of his criminality will at once prevent him from imposing on the public to its future injury, and do justice to the characters he has traduced by charging them with crimes committed by himself. This evidence may easily be had from Pittsburg.[3] Sr. James Jay & Capt. Nicholson are in Philadelphia. Mr.

Diggs will attend when called on. These, with the papers you have, shew enormity sufficient to place Mr. Deane in the light he ought to be seen in. I should not have troubled you Sir with so long a letter on so foul a subject, if I were not perfectly satisfied of your attachment to the cause of justice and general good, your dislike of public defaulters and your desire to protect and defend the virtuous Servants of the United States. I understand by Mr. Sergeant that Mr. Secretary Thomson has been long acquainted with Dr. Kendals evidence,[4] and having concealed it, and acted the part he has done renders him as unfit to be the Secretary of Congress as any other W—h—e[5] in Philadelphia. I shall continue to entertain the very agreeable hopes of being honored with your company in your way Southward. Your route is thro Baltimore, cross Potomac at Hoes, and from Mr. Hoe you will get exact directions to my house.

I am, with most affectionate esteem dear Sir your most obedient and obliged servant,
Richard Henry Lee

P.S. My friend Colo. Scudder will exert himself in getting this evidence to prove the perfidy of our self applauding, discarded, wishing to be Minister.[6]

RC (MHi: William Gilmore Simms Collection deposit, 1973). Addressed: "Honorable Henry Laurens Esqr. in Chesnut Street near the State House, Philadelphia." Endorsed by Laurens: "Richd. Henry Lee Esqr. 27th May 1779. Recd. 29th. Answd 1st June."

[1] Jonathan Dickinson Sergeant, who had been a member of Congress from New Jersey in 1776–77.

[2] Probably Samuel Wharton, Pennsylvania merchant and land speculator, who had gone to England in 1769 to seek validation of the "Indiana grants," but who remained to press the claims of the Walpole Company for a new colony, to be called "Vandalia." In 1779 he went to Paris to discuss with Benjamin Franklin the possibility of obtaining congressional recognition of the claim. After returning to the United States, Wharton served as a delegate to Congress in 1782–83. *DAB*.

[3] For further information on this "evidence," see Lee's January 3, 1778 [i.e., 1779], letter to Francis Lightfoot Lee in Lee, *Letters* (Ballagh), 1:373–76; and Richard Henry's August 1779 letters to the editor of the *Pennsylvania Packet*, ibid., 2:108–12, 125–30, 132–42. See also Arthur Lee's April 26, 1779, letter to Congress, PCC, item 102, 3:20–21, and Wharton, *Diplomatic Correspondence*, 3:136–37.

[4] Probably Dr. Joseph Kendall, a surgeon of the Pennsylvania Regiment of Artillery and later a physician and surgeon aboard the ship *America*. See Joseph Kendall to Congress, May 12, 1784, PCC, item 41, 5:41–42, and *JCC*, 27:407.

[5] Despite the confusion of how Lee placed his dashes, he was doubtless suggesting that Charles Thomson was no more to be trusted than a common whore.

[6] This is Lee's last letter as a delegate until he returned to Congress in November 1784. Embittered by the direction the Deane-Lee controversy had taken, the personal attacks upon his reputation, and the strength of opponents in Congress, Lee had resigned his seat as a delegate and was en route to Virginia. Lee's hatred of Deane and his congressional supporters and his concern over congressional affairs, however, did not abate in the months thereafter. From Chantilly he maintained a heavy correspondence with colleagues in Congress, notably Henry Laurens, Samuel Adams, William Whipple, James Searle, James Lovell, and Nathaniel Scudder and contributed four articles to the *Pennsylvania Packet* under the name "Rowland" in which he assailed the Deane faction and defended himself and his brothers. For these letters and articles, see Lee, *Letters* (Ballagh), 2:59–167. For his resignation at this time and an analysis of his congressional career, see Lee to the Virginia Assembly, May 4, 1779; and Paul C. Bowers, "Richard Henry Lee and the Continental Congress, 1774–1779," (Ph.D. diss., Duke University, 1965).

John Fell's Diary

Friday 28th May [1779].

Commercial Committee. Congress. Letter from Genl Washington abt So Carolina. Order of the Day, on Finance, some consideration on Do. PM Marine Committee. Mrs Fell & Peter sent for.[1]

MS (DLC).

[1] Fell's wife Susanna and son Peter subsequently joined him for a brief visit, leaving Philadelphia on June 16. See Fell's Diary, June 16, 1779; and Donald Whisenhunt, ed., *Delegate from New Jersey: The Journal of John Fell* (Port Washington, N.Y.: Kennikat Press, 1973), pp. 6, 103, 164.

John Jay to the States

Sir (Circular) Philadelphia 28th May 1779.

I have the honor of transmitting to you herewith enclosed a Copy of an Address of Congress to the Inhabitants of these States—And am, With great Respect, Your Excellency's Most Obedt. Servant.

LB (DNA: PCC, item 14).

[1] See *JCC*, 14:649–57; and Jay to the States, May 22, 1779.

James Duane to Conrad Alexandre Gérard

29 May 1779

Mr Duane presents respectful Compliments to the honorable the Minister of France.[1] He has carefully perused & highly approves of the Speech to the Delawares which will probably produce very salutary Effects;[2] as pains will be taken to communicate it to other Indian Tribes as well as to the Canadians Mr Duane takes the Liberty to suggest a small alteration at the End of the 2d paragraph of the 3d page vizt instead of the Words "And entreats you to persevere in this Resolution" which may imply a Recommendation of partiality in every Event to say, "And entreat you in all Occasions to be directed by their Council."[3]

A Duplicate of the Speech [copied?] by the Minister & deposited with the Committee of Congress on Indian Affairs would be useful: as they would then have it in their power to circulate official Copies among the different Tribes of Indians.

FC (DNA: PCC, item 166). In the hand of James Duane and endorsed by him: "Extract of Minister of France's Speech to the Delaware Nation communicated for my Opinion on which I wrote the Minister the following note 29 May 1779."

[1] Duane was responding to Conrad Alexandre Gérard's letter of May 27, which is in PCC, item 166, fol. 451. Gérard had asked Duane for his observations on a draft of a speech he planned to deliver to the Delaware Indian chiefs.

[2] Gérard's speech to the Delaware Indian chiefs then in Philadelphia was a response to the Delawares' May 25 address to Gérard seeking clarification on the availability of trade with France. Both the address to Gérard and his response, together with his report to Vergennes on his conference with the Indians, are in Meng, *Gérard Despatches*, pp. 695–702.

[3] This draft of Duane's letter is appended to the following extract from Gérard's proposed speech:

"You ought to see how injust & Unnatural are the Sentiments of the English since they proposed to you to massacre even the wives & Children of your Brothers of the United States, who only desired that you should remain at peace & invited you to smoke peaceably your pipes & to take care of your wives & Children.

"The Great King by my voice applauds the wisdom of your chiefs & warriors who have followed this advice & *exhorts you to persevere in this Conduct.*

"He is sorry for those of his ancient children of every nation who have without doubt suffered themselves to be seduced by those who told them the thing that was not. As he always wishes their happiness Go, Carry them his words & tell them that their Ancient Father will see with pleasure his Ancient Children in amity with the citizens of the United States Who are your Brothers & ours & that they would unite their interests, to those of Citizens born in the Home Island that they are more and that they should be attached to them rather than to wandering Strangers who come for no other purpose to these Lands than to Spoil & subdue them."

John Fell's Diary

Saturday 29th May [1779]

Com. Committee. Congress. Letter from So Carolina.[1] Order of the day to take in to consideration, the dispute between the States of New York and Vermont.[2]

MS (DLC).

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[1] Lt. Gov. Thomas Bee's May 5, 1779, letter to Patrick Henry, which had been forwarded to Congress by Governor Henry, is in PCC, item 72, fols. 494–95.

[2] Fell did not attend Congress on Monday, May 31, simply noting in his diary: "Com[mercial] Committee, did not goe to Congress."

John Jay's Notes of Debates

[May 29, 1779][1]

Govr. Clintons Letter. Poughkeepsie 18 May 1779.

Eleazer Patterson to Govr. Clinton dated Hinsdale, 5 May—1779. 500 men in his Regt.

Petition of Committee Hinsdale & Eight other Towns in Cumberland signed by Saml. Minot their Chairman.

Gov Clintons answr. Kingston 14 May 1779.[2]

Govr. Procln. 23 Feb 1778.

Govr. 2d Procn. 21 Octr. 1778.[3]

Resln. 30 June 1777 Agt. Young.[4]

Mr. Fell. Thinks Congress ought not to interfere, that is shd be postponed till the Delegates can obtain Instructions from their several States, and till the other Party can have an opportunity of defending themselves.

Burk. Congress cannot hear Compts. of Citizens agt. their State.

Shearman. Agd. in Congress not to go further than Res[olutio]n 30 June 77[5]—Decd. then that Congress had no Right to determine the Controversy, & therefore only sd. they had not encouraged or countenanced Revolt. Ought to consider how we are to interpose, & wh[ich] way will be best likely to ensure peace.

Confederation not compleat, & if it was it wd not give Congress Right to judge—can interpose only as mediators—I think that way best. Verm[ont] claims the Right of an independent State & a peremptory Decision ought not to be made without hearing them. Line in 1764 obtained by misrepresentation of Govr. Clinton who sd it wd be agreable to the People. That application was afterwards made to the king to revoke it, & was pending when the trouble came on. Never were subjects of New York with their own Consent—and therefore when Independ was declared they became so, N Hampshire having relinquished them. There should be a previous Inquiry and all Persons concerned calld to a hearing—if they agree Congress may decide, if not they may advise. As there paying no Taxes, it is not much, they live on a Frontier—are at the Expence of maintaining it, raise money among themselves are brave—as to relieving the Yorkers among them it cannot be done, without deciding the Qu. which being improper now cannot be done.

Duane.

Gerry. Always disposd to do Justice to N York—never encouragd Vermont on his honor—& that those who did were unjustifiable. 2 Counties of Massachusetts[6] not now to be governed, nor will be till Peace. That if Conferation was compleat, Congress might decide Jurisdiction & then ought to repress refractory Inhabitants but can't do it now. Inhabitants extraprovincial might set up for themselves. That a present Decision might be extra[ju]dicial & give Discontent—proposes a Committee of Congress to go to them.

MS (NNC: Gouverneur Morris Collection). In the hand of John Jay.

[1] Although Jay's notes on the Vermont debate are undated, they were clearly made on May 29, when Gov. George Clinton's May 18 letter with "sundry papers" was read in Congress and referred to the committee of the whole. These notes were taken during the ensuing debate in the committee of the whole on Clinton's letter, "together with the papers enclosed, and the resolutions moved by the delegates of New York." *JCC*, 14:667–68.

Congress was unable to reach agreement on May 29 except to continue consideration of the Vermont question on June 1. At that time, they adopted Elbridge Gerry's proposal to appoint a committee to go to the New Hampshire Grants to "confer with the said inhabitants, and . . . promote an amicable settlement of all differences." See *JCC*, 14:673–75; Jay to Clinton, May 22; Gouverneur Morris to Clinton, May 30; and New York Delegates to Clinton, June 1, 1779.

[2] Col. Eleazar Patterson's May 4 petition from the inhabitants of Brattleborough, Patterson's May 5 letter to Clinton, Clinton's May 14 letter to Samuel Minott, and Clinton's May 18 letter to Jay are in PCC, item 40, 1:170–86; and Clinton, *Papers* (Hastings), 4:792–95, 800–802, 814–16, 835–36.

[3] Governor Clinton's proclamations on Vermont of February 23 and October 31, 1778, are in E.P. Walton, ed., *Records of the Governor and Council of the State of Vermont*, 8 vols. (Montpelier, Vt.: J. & J.M. Poland, 1873–80), 1:449–51, 455–56.

[4] For Congress' resolve on Thomas Young, see *JCC*, 8:510–11; and these *Letters*, 6:617–18, 7:260, 262.

[5] See *JCC*, 8:509–11; and these *Letters*, 7:279.

[6] Elbridge Gerry was referring to Berkshire and Hampshire counties in the western part of the state bordering Vermont.

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John Jay to Benjamin Lincoln

Sir, Philadelphia 30th May 1779

Herewith enclosed You will receive a Copy of an Act of Congress authorizing You to appoint a Pay Master to Count Pulaski's Legion, and directing that Captain Baldesquie the present PayMaster be detained until he shall have settled the Accounts of the Legion.[1]

I have the Honor to be Sir, With great Respect, Your most Obedt. Servant John Jay, Presidt.

RC (NjMoHP). In the hand of Henry Brockholst Livingston and signed by Jay.

[1] Congress had adopted this resolve on May 17. See *JCC*, 14:598. For the settlement of Joseph Baldesqui's accounts, see also *JCC*, 14:895, 15:1368, 1414, 1417–18.

Why Jay waited nearly two weeks before transmitting this resolve to Lincoln has not been discovered. Delays in the conduct of the routine, official business of Congress were not uncommon, but the incidence of such delays during Jay's presidency and the increase in the average time elapsing between the adoption of congressional decisions and Jay's transmittal of them suggests that he was less diligent and less immersed in the conduct of his presidential duties than his predecessors.

Henry Laurens to John Laurens

My Dear Son & beloved fellow Citizen. Philadelphia 30th May 1779.

I most heartily congratulate with my Countrymen in general on your escape from death in an action with the Enemy, some where & on some day antecedent to the 5th Inst. neither of which are particularly communicated to me. The slaughter of your horse & the record on your arm, testify that your journey to So Carolina was not calculated merely for pleasureable amusements. When did it happen? Where? Which Arm? & least of all, what Horse? Who were you with? Whom did you oppose? I will not ask the insulting question, although the fashion of the times might justify me, were your party surprized?[1]

Go on my Son, Love & be ready at all times to bleed for your Country. "If we do meet again, why, we shall smile, if not, why, then our fasting was well made."[1] I pray that Holy God in whom we confide, of whose attributes nor Brutus nor Cassius had just conceptions, to continue to you his mercies & his protection; in him alone I trust in my daily prayers for the salvation of my Country.

Henry Laurens

P.S. I have heard nothing directly from you since the 23d April—Peruse my Letter to Mr. Gervais. I have not troubled him with a syllable respecting my private affairs from an assurance that even a syllable would have been unnecessary, but I must remind you of my Papers, *all* my Papers.[2] Plate, wearing apparel & last of all Liquer. I would wish to have all these in safe places, the latter if only to give away. Negroes no doubt will partake the common fares of the Country. Upon the whole, Gods Will be done, is the sum of my prayer, to the total conclusion of unmanly & unchristian anarchy.

RC (MHi: William Gilmore Simms Collection deposit, 1973).

[1] For the account that Laurens had received of the action in which John had recently been wounded during his journey to South Carolina, see Henry Laurens to Horatio Gates, June 29, 1779.

[2] Because the papers of Henry Laurens are a principal source for the study of Congress during 1778–1779—the greatest single source after the Papers of the Continental Congress—the disposition of Laurens' papers is of interest to students of the period. The following information, contained in a privately owned letter recently acquired at auction, is quoted here to suggest the ultimate fate of Laurens' efforts to preserve documents bearing upon his public career.

Responding to a request from Samuel Johnston of North Carolina for some legal documents, Laurens explained that he had recently ordered a search of his papers—"Six Small Trunks of Papers which some of my black Servants had hid & saved from destruction in the War"—and was "fully satisfied" that he was not in possession of the documents requested. "Most of my valuable Papers," Laurens went on to explain, "were in 1780 carefully packed in 21 Mohogany Boxes & sent for safety to a Plantation 72 Miles from this City [Charleston, S.C.] under the protection of a particular friend, but the British Troops penetrated & to my very great loss & additional perplexity destroyed the whole. Two of my friends, then Prisoners, were eye witnesses & were severely threatned for attempting to save a part which had been thrown into a Pond of Water, in that destruction." Henry Laurens to Samuel Johnston, August 4, 1791, Ronald von Klaussen collection.

Gouverneur Morris to George Clinton

Phila. [May 30, 1779]

Dear Governor,

Yesterday the House were resolv[ed into] a Committee of the whole upon our Vermont Business and as far as [Decla]rations can be trusted and Appearances I hope we shall be able to render our State a good Account of that Business. Nothing was concluded but on Tuesday next we are again to take it up in a Committee of the whole & I hope it will during the Course of the Week be concluded to our Satisfaction. Mr. Jay and Mr. Duane who had the principal Share in the Debate did full Justice to the Cause and stated the Merits with a Clearness and Force irresistible unless by Prejudice and Blindness.[1]

I did flatter myself with the Pleasure of seeing you the Begining of the next Month. The Care of my Health which has much suffered by a long and unremitted Attention was a principal Motive of my Design. Mr. Lewis who is with you and Mr Duer whenever he shall be with you will be able to give a full & accurate account of the Situation of our Public Affairs here. For this Reason and as I have lately been blessed with an Interval of *better* Health than usual I shall defer for some Time my Return. This Indeed I am compelled to do for the Business [of the imp]ortant Committees which Congress have done me [. . .] upon hath so principally devolved to my Manage[ment. . .] that I cannot quit it without Injury to the Public. [The Me]asures I have lately taken will I hope be productive of very [good?] Consequences to our State. To what Extent & Effect they may [. . .] It is not in human Prudence to determine because Human [Pru]dence cannot govern Events. I am not now at Liberty to state these Things but a little Time will I hope display them.

The Torrent of Abuse which hath been poured out agt me hath doubtless reached my Constituents.[2] Those who know me will do me the Justice to think properly on the Occasion. Could I believe myself capable of any among the many Things which have been said I should heartily despise myself. One Consolation I derive from it and that is a great one. Thos who vilify and traduce me are my Enemies because they are Enemies t the State I represent. They are my Enemies because I will not prostitut myself to the Purposes of Faction. Such Enmity I shall court rather tha avoid. Nor can it ever give me one momentary Pang unless it shoul affect the Minds of my Constituents or my Friends.

I pray you to pardon the Egotisms of this Letter & to believe me, mos respectfully yours. Gouv. Morris

RC (N: Clinton Papers).

[1] For further information on the previous day's debates on Vermont, see John Jay's Not of Debates, May 29, 1779.

[2] See Morris to Joseph Reed, April 9 and 25; and Morris to John Dunlap, ca. April 2 1779.

Gouverneur Morris to Robert R. Livingston

Dear Livingston Phila. 30th May 177

It is now I beleive near three Months since I have written to you Syllable or indeed to any Friend I have on Earth.[1] The General omissi hath been owing to a Motive I hardly dare to name. It is however a Tru that I have not been a Moment that I was at once at Leizure in Heal and alone. I should however have made Opportunities to write to you b I have been led to expect You here every Moment for the whole Time my Silence, Why you have not come I know not Neither will I enqui because I hope you will personally give an Account of yourself at th

Place in some very short Period.[2] This City is now the Scene of Politicks high and low I may add it is the Scene of Faction, Anarchy & Detraction. Never were the Affairs of any Country in a better and a worse Situation than those of America at this Moment. A Storm is gathering and will burst upon the Heads of our Enemies perhaps of our own. Would to God that the Desire of that great Luxury to be free was the Great Desire of my Countrymen. But other Luxuries more alluring have influence but too much upon this Conduct. The Torrent of Paper Money hath swept away with it much of our Morals and impaired the national Industry to a Degree truly alarming. Having successfully opposed the first energetic Efforts of the Enemy the struggle seems to have exhausted us and after foiling the Giant we shrink at the Touch of a Child. I fear before this reaches you Charlestown will no longer own the Authority of Congress. There indeed the Enemy will probably stop there they will collect their Forces and endeavor to weary us into a Submission by Harrassing our Coasts and Frontiers and striking at our Money. From Halifax, Rhode Island, New York, Portsmouth in Virginia & Charlestown their Cruizers will infest or rather destroy our Commerce and the little Armies necessary to watch their Motions and prevent their Ravages will effectually exhaust our little remaining Resources. This is one Side of the Picture. On the other like the Bottom of Pandora's Box is Hope. Spain perhaps while I write this is in Arms and while France keeps Great Britain at Bay Gibraltar and Jamaica will call for Protection which they may not perhaps obtain. If the Squadron at St. Lucia is incapable of offensive Operations & kept in Check by D'Estaing five Ships of the Line would cleanse the Continent of her Foes. Or even if this should not be the Case a naval Victory in Favor of France either in Europe or America would turn the Ballance so powerfully in our Favor as to cover our Enemies with Confusion. At any Rate a Continuance of the War must thoroughly exhaust them as well as us and the Business terminate as such Business usually does in the laying down of Arms from mutual Weariness. In this Case the most obstinate Councils would be the most efficacious. But whither am I going? Pray present all my Affections to your Family and give for me a gratulatory Kiss to the Brides of it. I think you have two.

I wish much to see you. Mrs. Livingston's Shoes will be well dried. By the bye I got two Pair instead of one. At 26 Dlls. per Pair & had I received your Note a Fortnight sooner should have paid only 16. If they were bought now the Price would be 40. O Tempora O Mores. God bless you, yours affectionately,

Gouv Morris

RC (NHi: Livingston Papers).

[1] Morris' most recent extant letter to Livingston was dated January 21, 1779. A letter to Morris from Livingston of February 9 is in Livingston's Papers, NHi.

[2] Livingston was not elected a delegate until October 18; he began attending Congress on November 20, 1779. *JCC*, 15:1293–94.

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